

VEHICLE LICENSE PLATE AND REGISTRATION

AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K. Thurston

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to license plates and vehicle emissions testing.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends provisions regarding standard license plates;
- ▶ creates a moratorium on the personalized license plate program;
- ▶ creates the support special group license plate program;
- ▶ establishes eligibility criteria for different categories of support special group license plates;
- ▶ allows a county to require an emissions inspection of a vintage vehicle under certain circumstances;
- ▶ repeals certain restricted accounts; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:



28 AMENDS:

- 29 **4-42-102**, as enacted by Laws of Utah 2017, Chapter 194
- 30 **9-8-207**, as last amended by Laws of Utah 2018, Chapter 260
- 31 **9-17-102**, as last amended by Laws of Utah 2011, Chapter 303
- 32 **9-19-102**, as enacted by Laws of Utah 2016, Chapter 70
- 33 **13-1-16**, as enacted by Laws of Utah 2020, Chapter 405
- 34 **19-1-109**, as enacted by Laws of Utah 2020, Chapter 322
- 35 **23-14-13.5**, as enacted by Laws of Utah 2017, Chapter 383
- 36 **26-18b-101**, as last amended by Laws of Utah 2021, Chapter 378
- 37 **26-21a-302**, as last amended by Laws of Utah 2011, Chapter 303
- 38 **41-1a-102**, as last amended by Laws of Utah 2019, Chapters 373, 428, 459, and 479
- 39 **41-1a-222**, as last amended by Laws of Utah 2017, Chapter 24
- 40 **41-1a-226**, as last amended by Laws of Utah 2017, Chapter 406
- 41 **41-1a-401**, as last amended by Laws of Utah 2018, Chapters 260, 260, and 454
- 42 **41-1a-402**, as last amended by Laws of Utah 2018, Chapters 20 and 262
- 43 **41-1a-410**, as last amended by Laws of Utah 1993, Chapter 222
- 44 **41-1a-411**, as last amended by Laws of Utah 2020, Chapter 259
- 45 **41-1a-416**, as last amended by Laws of Utah 2008, Chapter 382
- 46 **41-1a-418**, as last amended by Laws of Utah 2021, Chapters 219, 280, and 378
- 47 **41-1a-419**, as last amended by Laws of Utah 2018, Chapter 260
- 48 **41-1a-421**, as last amended by Laws of Utah 2018, Chapter 39
- 49 **41-1a-1201**, as last amended by Laws of Utah 2018, Chapter 424
- 50 **41-1a-1211**, as last amended by Laws of Utah 2015, Chapter 119
- 51 **41-1a-1212**, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237
- 52 **41-1a-1305**, as last amended by Laws of Utah 2020, Chapter 74
- 53 **41-6a-1642**, as last amended by Laws of Utah 2021, Chapter 322
- 54 **53-1-118**, as last amended by Laws of Utah 2011, Chapter 303
- 55 **53-1-120**, as enacted by Laws of Utah 2016, Chapter 52
- 56 **53-7-109**, as enacted by Laws of Utah 2009, Chapter 348
- 57 **53F-9-401**, as last amended by Laws of Utah 2020, Chapter 408
- 58 **53F-9-403**, as enacted by Laws of Utah 2021, Chapter 219

- 59 [59-10-1319](#), as last amended by Laws of Utah 2020, Chapter 322
- 60 [61-2-204](#), as last amended by Laws of Utah 2011, Chapter 303
- 61 [62A-1-202](#), as last amended by Laws of Utah 2021, Chapter 356
- 62 [62A-4a-608](#), as enacted by Laws of Utah 2011, Chapter 438
- 63 [63G-26-103](#), as enacted by Laws of Utah 2020, Chapter 393
- 64 [63I-1-263](#), as last amended by Laws of Utah 2021, Chapters 70, 72, 84, 90, 171, 196,
- 65 260, 280, 282, 345, 382, 401, 421 and last amended by Coordination Clause, Laws
- 66 of Utah 2021, Chapter 382
- 67 [63J-1-602.1](#), as last amended by Laws of Utah 2021, Chapters 280, 382, 401, and 438
- 68 [71-8-2](#), as last amended by Laws of Utah 2020, Chapter 409
- 69 [71-8-4](#), as last amended by Laws of Utah 2018, Chapter 39
- 70 [71-14-102](#), as enacted by Laws of Utah 2019, Chapter 213
- 71 [72-2-127](#), as enacted by Laws of Utah 2009, Chapter 380
- 72 [72-2-130](#), as enacted by Laws of Utah 2019, Chapter 38
- 73 [78A-2-804](#), as renumbered and amended by Laws of Utah 2021, Chapter 261
- 74 [79-4-203](#), as last amended by Laws of Utah 2021, Chapter 280
- 75 [79-4-404](#), as renumbered and amended by Laws of Utah 2009, Chapter 344

76 ENACTS:

- 77 [41-1a-1601](#), Utah Code Annotated 1953
- 78 [41-1a-1602](#), Utah Code Annotated 1953
- 79 [41-1a-1603](#), Utah Code Annotated 1953
- 80 [41-1a-1604](#), Utah Code Annotated 1953
- 81 [41-1a-1605](#), Utah Code Annotated 1953
- 82 [41-1a-1606](#), Utah Code Annotated 1953
- 83 [41-1a-1607](#), Utah Code Annotated 1953
- 84 [41-1a-1608](#), Utah Code Annotated 1953
- 85 [41-1a-1609](#), Utah Code Annotated 1953

86 REPEALS:

- 87 [26-21a-304](#), as enacted by Laws of Utah 2016, Chapter 46
- 88 [26-58-102](#), as enacted by Laws of Utah 2016, Chapter 71
- 89 [41-1a-422](#), as last amended by Laws of Utah 2021, Chapters 219, 280, and 378

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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-42-102** is amended to read:

4-42-102. Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account.

(1) There is created in the General Fund a restricted account known as the "Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account."

(2) The account shall be funded by:

(a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
[41-1a-1603](#);

(b) private contributions; and

(c) donations or grants from public or private entities.

(3) Upon appropriation by the Legislature, the department shall distribute funds in the account to one or more organizations that:

(a) are statewide agricultural education and leadership organizations; and

(b) promote leadership and career development through agricultural education.

(4) (a) An organization described in Subsection (3) may apply to the department to receive a distribution in accordance with Subsection (3).

(b) An organization that receives a distribution from the department in accordance with Subsection (3) shall expend the distribution only to:

(i) create or support programs that focus on issues described in Subsection (3);

(ii) create or sponsor programs that will benefit residents within the state; and

(iii) pay the costs of issuing or reordering Utah Intracurricular Student Organization Support for Agricultural Education and Leadership special group license plate decals.

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules providing procedures for an organization to apply to the department to receive a distribution under this Subsection (4).

(5) In accordance with Section [63J-1-602.1](#), appropriations from the account are nonlapsing.

Section 2. Section **9-8-207** is amended to read:

121 **9-8-207. Historical society -- Donations -- Accounting.**

122 (1) (a) There is created the Utah State Historical Society.

123 (b) The society may:

124 (i) solicit memberships from persons interested in the work of the society and charge
125 dues for memberships commensurate with the advantages of membership and the needs of the
126 society; and

127 (ii) receive gifts, donations, bequests, devises, and endowments of money or property,
128 which shall then become the property of the state of Utah.

129 (2) (a) If the donor directs that money or property donated under Subsection (1)(b)(ii)
130 be used in a specified manner, then the division shall use it in accordance with these directions.
131 Otherwise, all donated money and the proceeds from donated property, together with the
132 charges realized from society memberships, shall be deposited in the General Fund as restricted
133 revenue of the society.

134 (b) Funds received from donations to the society under Section [~~41-1a-422~~]
135 [41-1a-1603](#) shall be deposited into the General Fund as a dedicated credit to achieve the
136 mission and purpose of the society.

137 (3) The division shall keep a correct account of funds and property received, held, or
138 disbursed by the society, and shall make reports to the governor as in the case of other state
139 institutions.

140 Section 3. Section **9-17-102** is amended to read:

141 **9-17-102. Humanitarian Service and Educational and Cultural Exchange**
142 **Restricted Account.**

143 (1) There is created in the General Fund a restricted account known as the
144 "Humanitarian Service and Educational and Cultural Exchange Restricted Account."

145 (2) The account shall be funded by:

146 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
147 [41-1a-1603](#);

148 (b) private contributions; and

149 (c) donations or grants from public or private entities.

150 (3) Upon appropriation by the Legislature, the department shall distribute funds in the
151 account to one or more charitable organizations that:

152 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

153 (b) have a national parent organization which:

154 (i) provides international humanitarian service projects; and

155 (ii) has youth programs including programs to foster leadership in high school students,
156 humanitarian service in high school and college, and conducts and promotes community
157 service projects;

158 (c) have a non-profit youth exchange program that does not compensate those who
159 administer the program within the state;

160 (d) have an annual leadership conference, which does not compensate those who
161 administer the program within the state;

162 (e) have high school service clubs, which promote humanitarian services on a state
163 level, a national level, and an international level; and

164 (f) have college service clubs, which promote humanitarian service on a state level, a
165 national level, and an international level.

166 (4) (a) An organization described in Subsection (3) may apply to the department to
167 receive a distribution in accordance with Subsection (3).

168 (b) An organization that receives a distribution from the department in accordance with
169 Subsection (3) shall expend the distribution only to:

170 (i) pay the costs of supporting the following programs within the state:

171 (A) youth programs including programs to foster leadership in high school students and
172 humanitarian service in high school and college;

173 (B) community service projects;

174 (C) a non-profit youth exchange program;

175 (D) an annual leadership conference;

176 (E) high school service clubs, which promote humanitarian service on a state level, a
177 national level, and an international level; and

178 (F) college service clubs, which promote humanitarian service on a state level, a
179 national level, and an international level; and

180 (ii) pay the costs of issuing or reordering Humanitarian Service and Educational and
181 Cultural Exchange support special group license plate decals.

182 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

183 department may make rules providing procedures for an organization to apply to the
184 department to receive a distribution under Subsection (3).

185 Section 4. Section **9-19-102** is amended to read:

186 **9-19-102. National Professional Men's Soccer Team Support of Building**
187 **Communities Restricted Account.**

188 (1) There is created in the General Fund a restricted account known as the "National
189 Professional Men's Soccer Team Support of Building Communities Restricted Account."

190 (2) The account shall be funded by:

191 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
192 [41-1a-1603](#);

193 (b) private contributions; and

194 (c) donations or grants from public or private entities.

195 (3) Upon appropriation by the Legislature, the department shall distribute funds in the
196 account to one or more charitable organizations that:

197 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

198 (b) have a board that is appointed by the owners that, either on an individual or joint
199 basis, own a controlling interest in a legal entity that is a franchised member of the
200 internationally recognized national governing body for professional men's soccer in the United
201 States;

202 (c) are headquartered within the state;

203 (d) create or support programs that focus on:

204 (i) strengthening communities through youth soccer by:

205 (A) using soccer to teach life skills;

206 (B) combating gang activity through youth involvement; and

207 (C) providing youth in underserved areas with opportunities to play soccer and become
208 certified referees;

209 (ii) building communities through professional player initiatives, tournaments, and
210 community gathering areas; and

211 (iii) promoting environmental sustainability; and

212 (e) have a board of directors that disperses all funds of the organization.

213 (4) (a) An organization described in Subsection (3) may apply to the department to

214 receive a distribution in accordance with Subsection (3).

215 (b) An organization that receives a distribution from the department in accordance with
216 Subsection (3) shall expend the distribution only to:

- 217 (i) create or support programs that focus on issues described in Subsection (3);
- 218 (ii) create or sponsor programs that will benefit residents within the state; and
- 219 (iii) pay the costs of issuing or reordering National Professional Men's Soccer Team
220 Support of Building Communities support special group license plate decals.

221 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
222 department may make rules providing procedures for an organization to apply to the
223 department to receive a distribution under this Subsection (4).

224 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are
225 nonlapsing.

226 Section 5. Section **13-1-16** is amended to read:

227 **13-1-16. Latino Community Support Restricted Account.**

228 (1) There is created in the General Fund a restricted account known as the "Latino
229 Community Support Restricted Account."

230 (2) The account shall be funded by:

231 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
232 [41-1a-1603](#);

233 (b) private contributions; and

234 (c) donations or grants from public or private entities.

235 (3) (a) The state treasurer shall invest money in the account according to Title 51,
236 Chapter 7, State Money Management Act.

237 (b) The Division of Finance shall deposit interest or other earnings derived from
238 investment of account money into the General Fund.

239 (4) Subject to appropriation, the department shall distribute the money in the account
240 to one or more charitable organizations that:

241 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and

242 (b) have as a primary part of the organization's mission to strengthen the state's Latino
243 community by:

244 (i) creating strong leaders through education and mentoring;

- 245 (ii) providing scholarships and educational financial support; and
- 246 (iii) recognizing academic and vocational achievement, and school and community
- 247 leadership.

248 (5) The department may also expend funds in the account to pay the costs of issuing or

249 reordering Latino Community support special group license plate decals.

250 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

251 department shall make rules providing procedures for an organization to apply to receive

252 money under this section.

253 Section 6. Section **19-1-109** is amended to read:

254 **19-1-109. Clean Air Support Restricted Account.**

255 (1) There is created in the General Fund a restricted account known as the "Clean Air

256 Support Restricted Account."

257 (2) The account shall be funded by:

258 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]

259 [41-1a-1603](#);

260 (b) private contributions; and

261 (c) donations or grants from public or private entities.

262 (3) (a) The state treasurer shall invest money in the account according to Title 51,

263 Chapter 7, State Money Management Act.

264 (b) The Division of Finance shall deposit interest or other earnings derived from

265 investment of account money into the account.

266 (4) Subject to appropriation, the department shall distribute the money in the account

267 to one or more organizations that:

268 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and

269 (b) have as part of the organization's mission:

270 (i) to encourage and educate the public about simple changes to improve air quality in

271 the state;

272 (ii) to provide grants to organizations or individuals with innovative ideas to reduce

273 emissions; and

274 (iii) to partner with other organizations to strengthen efforts to improve air quality.

275 (5) The department may also expend funds in the account to pay the costs of issuing or

276 reordering Clean Air Support special group license plate decals.

277 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
278 department shall make rules providing procedures for an organization to apply to receive
279 money under this section.

280 Section 7. Section **23-14-13.5** is amended to read:

281 **23-14-13.5. Support for State-Owned Shooting Ranges Restricted Account.**

282 (1) There is created in the General Fund a restricted account known as the "Support for
283 State-Owned Shooting Ranges Restricted Account."

284 (2) The account shall be funded by:

285 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
286 [41-1a-1603](#);

287 (b) private contributions; and

288 (c) donations or grants from public or private entities.

289 (3) Upon appropriation by the Legislature, the division shall distribute funds in the
290 account to facilitate construction of new firearm shooting ranges, and operation and
291 maintenance of existing ranges, that are:

292 (a) built on land owned or leased by the state;

293 (b) owned by the division; and

294 (c) operated by the division or the division's contractors.

295 (4) The division shall only expend the funds to:

296 (a) construct, operate, and maintain firearm shooting ranges described in Subsection
297 (3); and

298 (b) pay the costs of issuing or reordering Support the 2nd Amendment and
299 State-Owned Shooting Ranges support special group license plate decals.

300 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are
301 nonlapsing.

302 Section 8. Section **26-18b-101** is amended to read:

303 **26-18b-101. Allyson Gamble Organ Donation Contribution Fund created.**

304 (1) (a) There is created an expendable special revenue fund known as the Allyson
305 Gamble Organ Donation Contribution Fund.

306 (b) The Allyson Gamble Organ Donation Contribution Fund shall consist of:

- 307 (i) private contributions;
- 308 (ii) donations or grants from public or private entities;
- 309 (iii) voluntary donations collected under Sections [41-1a-230.5](#) and [53-3-214.7](#);
- 310 (iv) contributions deposited into the account in accordance with Section [\[41-1a-422\]](#)
- 311 [41-1a-1603](#); and
- 312 (v) interest and earnings on fund money.
- 313 (c) The cost of administering the Allyson Gamble Organ Donation Contribution Fund
- 314 shall be paid from money in the fund.
- 315 (2) The Department of Health shall:
- 316 (a) administer the funds deposited in the Allyson Gamble Organ Donation Contribution
- 317 Fund; and
- 318 (b) select qualified organizations and distribute the funds in the Allyson Gamble Organ
- 319 Donation Contribution Fund in accordance with Subsection (3).
- 320 (3) (a) The funds in the Allyson Gamble Organ Donation Contribution Fund may be
- 321 distributed to a selected organization that:
- 322 (i) promotes and supports organ donation;
- 323 (ii) assists in maintaining and operating a statewide organ donation registry; and
- 324 (iii) provides donor awareness education.
- 325 (b) An organization that meets the criteria of Subsections (3)(a)(i) through (iii) may
- 326 apply to the Department of Health, in a manner prescribed by the department, to receive a
- 327 portion of the money contained in the Allyson Gamble Organ Donation Contribution Fund.
- 328 (4) The Department of Health may expend funds in the account to pay the costs of
- 329 administering the fund and issuing or reordering the Donate Life support special group license
- 330 plate and decals.
- 331 Section 9. Section **26-21a-302** is amended to read:
- 332 **26-21a-302. Cancer Research Restricted Account.**
- 333 (1) As used in this section, "account" means the Cancer Research Restricted Account
- 334 created by this section.
- 335 (2) There is created in the General Fund a restricted account known as the "Cancer
- 336 Research Restricted Account."
- 337 (3) The account shall be funded by:

338 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
339 [41-1a-1603](#);

340 (b) private contributions;

341 (c) donations or grants from public or private entities; and

342 (d) interest and earnings on fund money.

343 (4) The department shall distribute funds in the account to one or more charitable
344 organizations that:

345 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

346 (b) have been designated as an official cancer center of the state;

347 (c) is a National Cancer Institute designated cancer center; and

348 (d) have as part of [~~its~~] the charitable organization's primary mission:

349 (i) cancer research programs in basic science, translational science, population science,
350 and clinical research to understand cancer from its beginnings; and

351 (ii) the dissemination and use of knowledge developed by the research described in
352 Subsection (4)(d)(i) for the creation and improvement of cancer detection, treatments,
353 prevention, and outreach programs.

354 (5) (a) An organization described in Subsection (4) may apply to the department to
355 receive a distribution in accordance with Subsection (4).

356 (b) An organization that receives a distribution from the department in accordance with
357 Subsection (4) shall expend the distribution only to conduct cancer research for the purpose of
358 making improvements in cancer treatments, cures, detection, and prevention of cancer at the
359 molecular and genetic levels.

360 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
361 department may make rules providing procedures for an organization to apply to the
362 department to receive a distribution under Subsection (4).

363 Section 10. Section **41-1a-102** is amended to read:

364 **41-1a-102. Definitions.**

365 As used in this chapter:

366 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

367 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
368 vehicles as operated and certified to by a weighmaster.

- 369 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
370 41-22-2.
- 371 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
372 41-22-2.
- 373 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
374 41-22-2.
- 375 (6) "Alternative fuel vehicle" means:
- 376 (a) an electric motor vehicle;
- 377 (b) a hybrid electric motor vehicle;
- 378 (c) a plug-in hybrid electric motor vehicle; or
- 379 (d) a motor vehicle powered exclusively by a fuel other than:
- 380 (i) motor fuel;
- 381 (ii) diesel fuel;
- 382 (iii) natural gas; or
- 383 (iv) propane.
- 384 (7) "Amateur radio operator" means a person licensed by the Federal Communications
385 Commission to engage in private and experimental two-way radio operation on the amateur
386 band radio frequencies.
- 387 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 388 (9) "Automated driving system" means the same as that term is defined in Section
389 41-26-102.1.
- 390 (10) "Branded title" means a title certificate that is labeled:
- 391 (a) rebuilt and restored to operation;
- 392 (b) flooded and restored to operation; or
- 393 (c) not restored to operation.
- 394 (11) "Camper" means a structure designed, used, and maintained primarily to be
395 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
396 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
397 camping.
- 398 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
399 record of ownership between an identified owner and the described vehicle, vessel, or outboard

400 motor.

401 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
402 weighmaster.

403 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
404 maintained for the transportation of persons or property that operates:

405 (a) as a carrier for hire, compensation, or profit; or

406 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
407 owner's commercial enterprise.

408 (15) "Commission" means the State Tax Commission.

409 (16) "Consumer price index" means the same as that term is defined in Section
410 [59-13-102](#).

411 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
412 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
413 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
414 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

415 (18) "Diesel fuel" means the same as that term is defined in Section [59-13-102](#).

416 (19) "Division" means the Motor Vehicle Division of the commission, created in
417 Section [41-1a-106](#).

418 (20) "Dynamic driving task" means the same as that term is defined in Section
419 [41-26-102.1](#).

420 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
421 electric motor drawing current from a rechargeable energy storage system.

422 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
423 to be registered in this state, the removal, alteration, or substitution of which would tend to
424 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
425 or mode of operation.

426 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
427 implement for drawing plows, mowing machines, and other implements of husbandry.

428 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
429 the owner's or operator's own use in the transportation of:

430 (i) farm products, including livestock and its products, poultry and its products,

431 floricultural and horticultural products;

432 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
433 agricultural, floricultural, horticultural, livestock, and poultry production; and

434 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
435 other purposes connected with the operation of a farm.

436 (b) "Farm truck" does not include the operation of trucks by commercial processors of
437 agricultural products.

438 (25) "Fleet" means one or more commercial vehicles.

439 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
440 this state from another state, territory, or country other than in the ordinary course of business
441 by or through a manufacturer or dealer, and not registered in this state.

442 (27) "Gross laden weight" means the actual weight of a vehicle or combination of
443 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

444 (28) "Highway" or "street" means the entire width between property lines of every way
445 or place of whatever nature when any part of it is open to the public, as a matter of right, for
446 purposes of vehicular traffic.

447 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
448 energy from onboard sources of stored energy that are both:

449 (a) an internal combustion engine or heat engine using consumable fuel; and

450 (b) a rechargeable energy storage system where energy for the storage system comes
451 solely from sources onboard the vehicle.

452 (30) (a) "Identification number" means the identifying number assigned by the
453 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
454 motor.

455 (b) "Identification number" includes a vehicle identification number, state assigned
456 identification number, hull identification number, and motor serial number.

457 (31) "Implement of husbandry" means a vehicle designed or adapted and used
458 exclusively for an agricultural operation and only incidentally operated or moved upon the
459 highways.

460 (32) (a) "In-state miles" means the total number of miles operated in this state during
461 the preceding year by fleet power units.

462 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
463 total number of miles that those vehicles were towed on Utah highways during the preceding
464 year.

465 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
466 province, territory, or possession of the United States or foreign country.

467 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
468 possession of the United States or any foreign country.

469 (35) "Lienholder" means a person with a security interest in particular property.

470 (36) "Manufactured home" means a transportable factory built housing unit constructed
471 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
472 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
473 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
474 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
475 with or without a permanent foundation when connected to the required utilities, and includes
476 the plumbing, heating, air-conditioning, and electrical systems.

477 (37) "Manufacturer" means a person engaged in the business of constructing,
478 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
479 outboard motors for the purpose of sale or trade.

480 (38) "Mobile home" means a transportable factory built housing unit built prior to June
481 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
482 Manufactured Housing and Safety Standards Act (HUD Code).

483 (39) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

484 (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
485 operation on the highways.

486 (b) "Motor vehicle" does not include:

487 (i) an off-highway vehicle; or

488 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).

489 (41) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

490 (42) "Motorcycle" means:

491 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
492 more than three wheels in contact with the ground; or

493 (b) an autocycle.

494 (43) "Natural gas" means a fuel of which the primary constituent is methane.

495 (44) (a) "Nonresident" means a person who is not a resident of this state as defined by
496 Section 41-1a-202, and who does not engage in intrastate business within this state and does
497 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

498 (b) A person who engages in intrastate business within this state and operates in that
499 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
500 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
501 considered a resident of this state, insofar as that vehicle is concerned in administering this
502 chapter.

503 (45) "Odometer" means a device for measuring and recording the actual distance a
504 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
505 periodically reset.

506 (46) "Off-highway implement of husbandry" means the same as that term is defined in
507 Section 41-22-2.

508 (47) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

509 (48) (a) "Operate" means:

510 (i) to navigate a vessel; or

511 (ii) collectively, the activities performed in order to perform the entire dynamic driving
512 task for a given motor vehicle by:

513 (A) a human driver as defined in Section 41-26-102.1; or

514 (B) an engaged automated driving system.

515 (b) "Operate" includes testing of an automated driving system.

516 (49) "Original issue license plate" means a license plate that is of a format and type
517 issued by the state in the same year as the model year of a vehicle that is a model year 1973 or
518 older.

519 [~~49~~] (50) "Outboard motor" means a detachable self-contained propulsion unit,
520 excluding fuel supply, used to propel a vessel.

521 [~~50~~] (51) (a) "Owner" means a person, other than a lienholder, holding title to a
522 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
523 subject to a security interest.

524 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
525 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
526 stated in the agreement and with an immediate right of possession vested in the conditional
527 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
528 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
529 chapter.

530 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
531 owner until the lessee exercises the lessee's option to purchase the vehicle.

532 [~~51~~] (52) "Park model recreational vehicle" means a unit that:

533 (a) is designed and marketed as temporary living quarters for recreational, camping,
534 travel, or seasonal use;

535 (b) is not permanently affixed to real property for use as a permanent dwelling;

536 (c) requires a special highway movement permit for transit; and

537 (d) is built on a single chassis mounted on wheels with a gross trailer area not
538 exceeding 400 square feet in the setup mode.

539 [~~52~~] (53) "Personalized license plate" means a license plate that has displayed on it a
540 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
541 to the vehicle by the division.

542 [~~53~~] (54) (a) "Pickup truck" means a two-axle motor vehicle with motive power
543 manufactured, remanufactured, or materially altered to provide an open cargo area.

544 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
545 camper, camper shell, tarp, removable top, or similar structure.

546 [~~54~~] (55) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor
547 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion
548 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the
549 vehicle while the vehicle is in motion.

550 [~~55~~] (56) "Pneumatic tire" means a tire in which compressed air is designed to
551 support the load.

552 [~~56~~] (57) "Preceding year" means a period of 12 consecutive months fixed by the
553 division that is within 16 months immediately preceding the commencement of the registration
554 or license year in which proportional registration is sought. The division in fixing the period

555 shall conform it to the terms, conditions, and requirements of any applicable agreement or
556 arrangement for the proportional registration of vehicles.

557 ~~[(57)]~~ (58) "Public garage" means a building or other place where vehicles or vessels
558 are kept and stored and where a charge is made for the storage and keeping of vehicles and
559 vessels.

560 ~~[(58)]~~ (59) "Receipt of surrender of ownership documents" means the receipt of
561 surrender of ownership documents described in Section 41-1a-503.

562 ~~[(59)]~~ (60) "Reconstructed vehicle" means a vehicle of a type required to be registered
563 in this state that is materially altered from its original construction by the removal, addition, or
564 substitution of essential parts, new or used.

565 ~~[(60)]~~ (61) "Recreational vehicle" means the same as that term is defined in Section
566 13-14-102.

567 ~~[(61)]~~ (62) "Registration" means a document issued by a jurisdiction that allows
568 operation of a vehicle or vessel on the highways or waters of this state for the time period for
569 which the registration is valid and that is evidence of compliance with the registration
570 requirements of the jurisdiction.

571 (63) "Registration decal" means the decal issued by the division that is evidence of
572 compliance with the division's registration requirements.

573 ~~[(62)]~~ (64) (a) "Registration year" means a 12 consecutive month period commencing
574 with the completion of the applicable registration criteria.

575 (b) For administration of a multistate agreement for proportional registration the
576 division may prescribe a different 12-month period.

577 ~~[(63)]~~ (65) "Repair or replacement" means the restoration of vehicles, vessels, or
578 outboard motors to a sound working condition by substituting any inoperative part of the
579 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

580 ~~[(64)]~~ (66) "Replica vehicle" means:

581 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

582 (b) a custom vehicle that meets the requirements under Subsection

583 41-6a-1507(1)(a)(i)(B).

584 ~~[(65)]~~ (67) "Road tractor" means a motor vehicle designed and used for drawing other
585 vehicles and constructed so it does not carry any load either independently or any part of the

586 weight of a vehicle or load that is drawn.

587 ~~[(66)]~~ (68) "Sailboat" means the same as that term is defined in Section 73-18-2.

588 ~~[(67)]~~ (69) "Security interest" means an interest that is reserved or created by a security
589 agreement to secure the payment or performance of an obligation and that is valid against third
590 parties.

591 ~~[(68)]~~ (70) "Semitrailer" means a vehicle without motive power designed for carrying
592 persons or property and for being drawn by a motor vehicle and constructed so that some part
593 of its weight and its load rests or is carried by another vehicle.

594 ~~[(69)]~~ (71) "Special group license plate" means a type of license plate designed for a
595 particular group of people or a license plate authorized and issued by the division in accordance
596 with Section 41-1a-418.

597 ~~[(70)]~~ (72) (a) "Special interest vehicle" means a vehicle used for general
598 transportation purposes and that is:

- 599 (i) 20 years or older from the current year; or
600 (ii) a make or model of motor vehicle recognized by the division director as having
601 unique interest or historic value.

602 (b) In making a determination under Subsection ~~[(70)]~~ (72)(a), the division director
603 shall give special consideration to:

- 604 (i) a make of motor vehicle that is no longer manufactured;
605 (ii) a make or model of motor vehicle produced in limited or token quantities;
606 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
607 designed exclusively for educational purposes or museum display; or
608 (iv) a motor vehicle of any age or make that has not been substantially altered or
609 modified from original specifications of the manufacturer and because of its significance is
610 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
611 leisure pursuit.

612 ~~[(71)]~~ (73) (a) "Special mobile equipment" means a vehicle:

- 613 (i) not designed or used primarily for the transportation of persons or property;
614 (ii) not designed to operate in traffic; and
615 (iii) only incidentally operated or moved over the highways.

616 (b) "Special mobile equipment" includes:

617 (i) farm tractors;

618 (ii) off-road motorized construction or maintenance equipment including backhoes,
619 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

620 (iii) ditch-digging apparatus.

621 (c) "Special mobile equipment" does not include a commercial vehicle as defined
622 under Section [72-9-102](#).

623 ~~[(72)]~~ [\(74\)](#) "Specially constructed vehicle" means a vehicle of a type required to be
624 registered in this state, not originally constructed under a distinctive name, make, model, or
625 type by a generally recognized manufacturer of vehicles, and not materially altered from its
626 original construction.

627 [\(75\)](#) "Standard license plate" means a license plate for general issue described in
628 Subsection [41-1a-402\(1\)](#).

629 ~~[(73)]~~ [\(76\)](#) "State impound yard" means a yard for the storage of a vehicle, vessel, or
630 outboard motor that meets the requirements of rules made by the commission pursuant to
631 Subsection [41-1a-1101\(5\)](#).

632 [\(77\)](#) "Symbol decal" means the decal that is designed to represent a special group and
633 displayed on a special group license plate.

634 ~~[(74)]~~ [\(78\)](#) "Title" means the right to or ownership of a vehicle, vessel, or outboard
635 motor.

636 ~~[(75)]~~ [\(79\)](#) (a) "Total fleet miles" means the total number of miles operated in all
637 jurisdictions during the preceding year by power units.

638 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
639 the number of miles that those vehicles were towed on the highways of all jurisdictions during
640 the preceding year.

641 ~~[(76)]~~ [\(80\)](#) "Trailer" means a vehicle without motive power designed for carrying
642 persons or property and for being drawn by a motor vehicle and constructed so that no part of
643 its weight rests upon the towing vehicle.

644 ~~[(77)]~~ [\(81\)](#) "Transferee" means a person to whom the ownership of property is
645 conveyed by sale, gift, or any other means except by the creation of a security interest.

646 ~~[(78)]~~ [\(82\)](#) "Transferor" means a person who transfers the person's ownership in
647 property by sale, gift, or any other means except by creation of a security interest.

648 [(79)] (83) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
649 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
650 vacation use that does not require a special highway movement permit when drawn by a
651 self-propelled motor vehicle.

652 [(80)] (84) "Truck tractor" means a motor vehicle designed and used primarily for
653 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
654 vehicle and load that is drawn.

655 [(81)] (85) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
656 camper, park model recreational vehicle, manufactured home, and mobile home.

657 [(82)] (86) "Vessel" means the same as that term is defined in Section 73-18-2.

658 [(83)] (87) "Vintage vehicle" means the same as that term is defined in Section
659 41-21-1.

660 [(84)] (88) "Waters of this state" means the same as that term is defined in Section
661 73-18-2.

662 [(85)] (89) "Weighmaster" means a person, association of persons, or corporation
663 permitted to weigh vehicles under this chapter.

664 Section 11. Section **41-1a-222** is amended to read:

665 **41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.**

666 (1) The owner of any intrastate fleet of commercial vehicles which is based in the state
667 may apply to the commission for registration in accordance with this section.

668 (a) The application shall be made on a form prescribed by the commission.

669 (b) Upon payment of required fees and meeting other requirements prescribed by the
670 commission, the division shall issue, to each vehicle for which application has been made, a
671 multiyear license plate and registration card.

672 (i) The [~~license plate~~] registration decal and the registration card shall bear an
673 expiration date fixed by the division and are valid until ownership of the vehicle to which they
674 are issued is transferred by the applicant or until the expiration date, whichever comes first.

675 (ii) An annual renewal application must be made by the owner if registration
676 identification has been issued on an annual installment fee basis and the required fees must be
677 paid on an annual basis.

678 (iii) License plates and registration cards issued pursuant to this section are valid for an

679 eight-year period, commencing with the year of initial application in this state.

680 (c) When application for registration or renewal is made on an installment payment
681 basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a
682 surety, approved by the commission and in an amount equal to the total annual fees required
683 for all vehicles registered to the applicant in accordance with this section.

684 (2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in
685 the name of the fleet.

686 (3) Each owner who registers fleets pursuant to this section shall pay the taxes or in
687 lieu fees otherwise due pursuant to:

- 688 (a) Section 41-1a-206;
689 (b) Section 41-1a-207;
690 (c) Subsection 41-1a-301(12);
691 (d) Section 59-2-405.1;
692 (e) Section 59-2-405.2; or
693 (f) Section 59-2-405.3.

694 (4) An owner who fails to comply with the provisions of this section is subject to the
695 penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of
696 the privileges granted in this section.

697 Section 12. Section 41-1a-226 is amended to read:

698 **41-1a-226. Vintage vehicle -- Signed statement -- Registration.**

699 (1) The owner of a vintage vehicle who applies for registration under this part shall
700 provide a signed statement that the vintage vehicle:

- 701 (a) is owned and operated for the purposes described in Section 41-21-1; and
702 (b) is safe to operate on the highways of this state as described in Section 41-21-4.

703 (2) ~~[The]~~ Except as provided in Subsection 41-6a-1642(14), the signed statement
704 described in Subsection (1) is in lieu of an emissions inspection, from which a vintage vehicle
705 is exempt under Subsection 41-6a-1642(4).

706 Section 13. Section 41-1a-401 is amended to read:

707 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**
708 **registration in lieu of or used with plates.**

709 (1) (a) Except as provided in Subsection (1)(c), the division upon registering a vehicle

710 shall issue to the owner:

711 (i) one license plate for a motorcycle, trailer, or semitrailer;

712 (ii) one registration decal for a park model recreational vehicle, in lieu of a license
713 plate, which shall be attached in plain sight to the rear of the park model recreational vehicle;

714 (iii) one registration decal for a camper, in lieu of a license plate, which shall be
715 attached in plain sight to the rear of the camper; and

716 (iv) two identical license plates for every other vehicle.

717 (b) The license plate or registration decal issued under Subsection (1)(a) is for the
718 particular vehicle registered and may not be removed during the term for which the license
719 plate or registration decal is issued or used upon any other vehicle than the registered vehicle.

720 (c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection
721 (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the
722 ownership of which has been otherwise released, shall transfer the license plate issued to the
723 person applying to register the vehicle if:

724 (A) the previous registered owner has included the license plate as part of the sale,
725 trade, or ownership release; and

726 (B) the person applying to register the vehicle applies to transfer the license plate to the
727 new registered owner of the vehicle.

728 (ii) The division may not transfer a personalized or special group license plate to a new
729 registered owner under this Subsection (1)(c) if the new registered owner does not meet the
730 qualification or eligibility requirements for that personalized or special group license plate
731 under [~~Sections 41-1a-410 through 41-1a-422~~] this part or Part 16, Support Special Group
732 License Plates.

733 (2) The division may receive applications for registration renewal, renew registration,
734 and issue new license plates or registration decals at any time prior to the expiration of
735 registration.

736 (3) (a) (i) All license plates to be manufactured and issued by the division shall be
737 treated with a fully reflective material on the plate face that provides effective and dependable
738 reflective brightness during the service period of the license plate.

739 (ii) For a historical support special group license plate created under this part, the
740 division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i)

741 as soon as such material is available at a reasonable cost.

742 (b) The division shall prescribe all license plate material specifications and establish
743 and implement procedures for conforming to the specifications.

744 (c) The specifications for the materials used such as the aluminum plate substrate, the
745 reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may
746 qualify as suppliers.

747 (d) The granting of contracts for the materials shall be by public bid.

748 (4) (a) The commission may issue, adopt, and require the use of indicia of registration
749 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

750 (b) All provisions of this part relative to license plates apply to these indicia of
751 registration, so far as the provisions are applicable.

752 (5) A violation of this section is an infraction.

753 Section 14. Section **41-1a-402** is amended to read:

754 **41-1a-402. Required colors, numerals, and letters -- Expiration.**

755 (1) (a) Upon registering a vehicle, the division shall issue to the owner a standard
756 license plate described in Subsection (1)(b) unless the division issues to the owner:

757 (i) a special group license plate described in Section [41-1a-418](#); or

758 (ii) an apportioned vehicle license plate described in Section [41-1a-301](#).

759 (b) The division shall offer four standard license plate options, each with a different
760 design as follows:

761 (i) two designs that incorporate one or more elements that represent the state's
762 economy or geography;

763 (ii) one design that represents the state's values or culture; and

764 (iii) one design that commemorates a current event relevant to the state or a significant
765 anniversary of a historic event relevant to the state.

766 (c) The division shall offer:

767 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

768 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

769 (d) The division may not offer more than four standard license plate designs at any one
770 time.

771 (2) Before the division offers a design described in Subsection (1), the division shall:

772 (a) consult with the Governor's Office of Economic Opportunity and the Utah
 773 Department of Cultural and Community Engagement regarding the proposed design; and
 774 (b) submit to the Legislature the proposed design for approval by concurrent resolution.
 775 ~~[(1)]~~ (3) Each license plate shall have displayed on it:
 776 (a) the registration number assigned to the vehicle for which it is issued;
 777 (b) the name of the state; and
 778 (c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing
 779 the date of expiration displayed in accordance with Subsection (6).
 780 ~~[(2)]~~ (4) If registration is extended by affixing a registration decal to the license plate,
 781 the expiration date of the registration decal governs the expiration date of the license plate.
 782 ~~[(3) Except as provided in Subsection (4), each original license plate that is not one of~~
 783 ~~the special group license plates issued under Section 41-1a-418 shall be:]~~
 784 ~~[(a) a statehood centennial license plate with the same color, design, and slogan as the~~
 785 ~~plates issued in conjunction with the statehood centennial;]~~
 786 ~~[(b) a Ski Utah license plate; or]~~
 787 ~~[(c) an In God We Trust license plate.]~~
 788 ~~[(4) Beginning on the date that the division determines the existing inventories of~~
 789 ~~statehood centennial license plates and Ski Utah license plates are exhausted, each license plate~~
 790 ~~that is not one of the special group license plates issued under Section 41-1a-418 shall:]~~
 791 ~~[(a) (i) display the "Life Elevated" slogan; and]~~
 792 ~~[(ii) have a color and design approved by the 57th Legislature in the 2007 General~~
 793 ~~Session that features:]~~
 794 ~~[(A) a skier with the "Greatest Snow on Earth" slogan; or]~~
 795 ~~[(B) Delicate Arch;]~~
 796 ~~[(b) be an In God We Trust license plate; or]~~
 797 ~~[(c) beginning on the date that the division determines the existing inventories of~~
 798 ~~decal for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive~~
 799 ~~license plate displaying the word "apportioned" or the abbreviation "APP."]~~
 800 (5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216,
 801 license plates shall be renewed annually.
 802 (b) (i) The division shall issue the vehicle owner a month registration decal and a year

803 registration decal upon the vehicle's first registration with the division.

804 (ii) The division shall issue the vehicle owner only a year registration decal upon
805 subsequent renewals of registration to validate registration renewal.

806 [~~(6) The decals issued in accordance with Subsection (5) shall be applied as follows:]~~

807 [~~(a) for license plates issued beginning in 1974 through 1985, decals displayed on
808 license plates with black lettering on a white background shall be applied to the lower left-hand
809 corner of the rear of the license plate vehicles;]~~

810 [~~(b) decals displayed on statehood centennial license plates and on Ski Utah license
811 plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of
812 the rear license plate;]~~

813 [~~(c) decals displayed on special group license plates issued in accordance with Section
814 ~~41-1a-418~~ shall be applied to the upper right-hand corner of the license plate unless there is a
815 plate indentation on the upper left-hand corner of the license plate;]~~

816 [~~(d) decals displayed on license plates with the "Life Elevated" slogan issued in
817 accordance with Subsection (4) shall be applied in the upper left-hand corner for the month
818 decal and the upper right-hand corner for the year decal;]~~

819 [~~(e) decals displayed on license plates with the "In God We Trust" slogan issued in
820 accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear
821 license plate unless there is a plate indentation on the upper left-hand corner of the license
822 plate;]~~

823 [~~(f) decals issued for motorcycles shall be applied to the upper corner of the license
824 plate opposite the word "Utah"; and]~~

825 [~~(g) decals displayed on license plates issued under Section ~~41-1a-416~~ shall be applied
826 as appropriate for the year of the plate;]~~

827 (6) Except as otherwise provided by rule:

828 [(7)] (a) [~~The~~] the month registration decal issued in accordance with Subsection (5)
829 shall be displayed on the license plate in the left position[~~;~~]; and

830 (b) [~~The~~] the year registration decal issued in accordance with Subsection (5) shall be
831 displayed on the license plate in the right position.

832 [(8)] (7) The current year registration decal issued in accordance with Subsection (5)
833 shall be placed over or in place of the previous year registration decal.

834 ~~[(9)]~~ (8) If a license plate, month registration decal, or year registration decal is lost or
835 destroyed, a replacement shall be issued upon application and payment of the fees required
836 under Section 41-1a-1211 or 41-1a-1212.

837 ~~[(10)]~~ (9) (a) A violation of this section is an infraction.

838 (b) A court shall waive a fine for a violation under this section if:

839 (i) the registration for the vehicle was current at the time of the citation; and

840 (ii) the person to whom the citation was issued provides, within 21 business days,
841 evidence that the license plate and registration decals are properly displayed in compliance with
842 this section.

843 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
844 the division may make rules regarding the placement and positioning of registration decals on
845 license plates issued by the division.

846 Section 15. Section **41-1a-410** is amended to read:

847 **41-1a-410. Eligibility for personalized plates.**

848 (1) ~~[A]~~ Subject to Subsection 41-1a-411(4), a person who is the registered owner of a
849 vehicle not subject to registration under Section 41-1a-301, registered with the division, or who
850 applies for an original registration of a vehicle not subject to registration under Section
851 41-1a-301, may upon payment of the fee prescribed in Section 41-1a-1211 apply to the division
852 for personalized license plates.

853 (2) Application shall be made in accordance with Section 41-1a-411.

854 (3) The personalized plates shall be affixed to the vehicle for which registration is
855 sought in lieu of the regular license plates.

856 (4) Personalized license plates shall be issued only to the registered owner of the
857 vehicle on which they are to be displayed.

858 Section 16. Section **41-1a-411** is amended to read:

859 **41-1a-411. Application for personalized plates -- Refusal authorized.**

860 (1) ~~[An]~~ Subject to Subsection (4), an applicant for personalized license plates or
861 renewal of the plates shall file an application for the plates in the form and by the date the
862 division requires, indicating the combination of letters, numbers, or both requested as a
863 registration number.

864 (2) (a) Except as provided in Subsection (3) and subject to Subsection (4), the division

865 may refuse to issue any combination of letters, numbers, or both that:

866 (i) may carry connotations offensive to good taste and decency or that would be
867 misleading; or

868 (ii) disparages a group based on:

869 (A) race;

870 (B) color;

871 (C) national origin;

872 (D) religion;

873 (E) age;

874 (F) sex;

875 (G) gender identity;

876 (H) sexual orientation;

877 (I) citizenship status; or

878 (J) physical or mental disability.

879 (b) ~~[The]~~ Subject to Subsection (4), the division may refuse to issue a combination of
880 letters, numbers, or both as a registration number if that same combination is already in use as a
881 registration number on an existing license plate.

882 (3) (a) Except as provided in Subsection (2) or (3)(b), and subject to Subsection (4) the
883 division may not refuse a combination of letters, numbers, or both as a registration number if:

884 (i) the license plate is ~~[an honor]~~ a veteran special group license plate as described in
885 Section 41-1a-421, and the combination of letters, numbers, or both refers to:

886 (A) a year related to military service;

887 (B) a military branch; or

888 (C) an official achievement, badge, or honor received for military service; or

889 (ii) the combination of letters, numbers, or both as a registration number refers to an
890 official state symbol described in Section 63G-1-601.

891 (b) ~~[H]~~ Subject to Subsection (4), if an applicant requests a combination containing
892 only numbers, the division may refuse the combination if the combination includes less than
893 four numerical digits.

894 (4) (a) Beginning July 1, 2022, the division may not accept an application for or issue a
895 personalized plate under this section.

896 (b) On or before October 1 of each year, the commission shall prepare and submit to
 897 the Transportation Interim Committee a report on personalized license plate programs in other
 898 states that provides:

899 (i) information on relevant court cases and rulings involving other state's personalized
 900 license plate programs;

901 (ii) if available, other state responses to legal challenges to that state's personalized
 902 license plate program; and

903 (iii) recommendations regarding Utah's personalized license plate program, including:

904 (A) reinstating the personalized license plate program;

905 (B) continuing the moratorium; or

906 (C) modifying or repealing the personalized license plate program.

907 Section 17. Section **41-1a-416** is amended to read:

908 **41-1a-416. Original issue license plates -- Alternative stickers -- Rulemaking.**

909 (1) The owner of a motor vehicle that is a model year 1973 or older may apply to the
 910 division for permission to display an original issue license plate [~~of a format and type issued by~~
 911 ~~the state in the same year as the model year of the vehicle~~].

912 [~~(2) The owner of a motor vehicle who desires to display original issue license plates~~
 913 ~~instead of license plates issued under Section 41-1a-401 shall:~~]

914 (2) An owner described in Subsection (1) shall:

915 (a) complete an application on a form provided by the division;

916 [~~(b) supply and submit the original license plates that the owner desires to display to~~
 917 ~~the division for approval; and]~~

918 (b) supply and submit to the division for approval the original issue license plate that
 919 the owner intends to display on the motor vehicle; and

920 (c) pay the fees prescribed in Sections 41-1a-1206 and 41-1a-1211.

921 (3) [~~The division, prior to approval of an application under this section,~~] Before
 922 approving an application under this section, the division shall determine that the original issue
 923 license [~~plates~~] plate:

924 (a) [~~are~~] is of a format and type issued by the state for use on a motor vehicle [~~in this~~
 925 ~~state~~];

926 (b) [~~have~~] has numbers and characters that are unique and do not conflict with existing

927 license plate series in this state;

928 (c) ~~[are]~~ is legible, durable, and otherwise in a condition that serves the purposes of this
929 chapter~~[-, except that original issue license plates are exempt from the provision of Section~~
930 ~~41-1a-401 regarding reflectorization and Section 41-1a-403 regarding legibility from 100 feet];~~
931 and

932 (d) ~~[are]~~ is from the same year of issue as the model year of the motor vehicle on which
933 ~~[they are]~~ the original issue license plate is to be displayed.

934 (4) (a) ~~[An]~~ Except as provided in this section, the owner of a motor vehicle displaying
935 an original issue license [plates] plate approved under this section is not exempt from any
936 [other requirement of] requirement described in this chapter [except as specified under this
937 section].

938 (b) An original issue license plate approved under this section is exempt from:

- 939 (i) the provisions of Section 41-1a-401 regarding reflectorization; and
940 (ii) Section 41-1a-403.

941 (5) (a) ~~[An owner of a motor vehicle currently registered in this state whose original~~
942 ~~issue license plates are not approved by the division because of the requirement in Subsection~~
943 ~~(3)(b)]~~ A registered owner whose original issue license plate does not meet the requirement
944 described in Subsection (3)(b) may apply to the division for a sticker to allow the temporary
945 display of the original issue license [plates] plate if:

- 946 (i) the [plates otherwise comply] license plate otherwise complies with this section;
947 (ii) the [plates are] license plate is only displayed when the motor vehicle is used for
948 participating in motor vehicle club activities, exhibitions, tours, parades, and similar activities
949 [and are not used for general daily transportation];

950 (iii) the license [plates] plate and registration issued under this chapter for normal use
951 of the motor vehicle for general daily transportation on the highways of this state are kept in the
952 motor vehicle and shown to a peace officer on request; and

953 (iv) the sticker issued by the division under this subsection is properly affixed to the
954 face of the original issue license plate.

955 (b) The sticker issued under this section shall be the size and form customarily
956 furnished by the division.

957 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

958 division may make rules for the implementation of this section.

959 Section 18. Section ~~41-1a-418~~ is amended to read:

960 **41-1a-418. Authorized special group license plates.**

961 ~~[(1) The division shall only issue special group license plates in accordance with this~~
962 ~~section through Section ~~41-1a-422~~ to a person who is specified under this section within the~~
963 ~~categories listed as follows:]~~

964 (1) In accordance with this chapter, the division shall issue to an eligible applicant a
965 special group license plate in one of the following categories:

966 (a) a disability special group license [plates] plate issued in accordance with Section
967 ~~41-1a-420~~;

968 (b) ~~[honor]~~ a veteran special group license [plates, as in a war hero, which plates are
969 issued for a] plate issued to:

970 (i) a survivor of the Japanese attack on Pearl Harbor;

971 (ii) a former prisoner of war;

972 (iii) a recipient of a Purple Heart;

973 (iv) a disabled veteran; or

974 (v) a recipient of a gold star award issued by the United States Secretary of Defense;

975 ~~[or]~~

976 ~~[(vi) recipient of a campaign or combat theater award determined by the Department of~~
977 ~~Veterans and Military Affairs;]~~

978 (c) a unique vehicle type special group license [plates, as for historical, collectors
979 value, or other unique vehicle type, which plates are] plate issued for:

980 (i) a special interest vehicle;

981 (ii) a vintage vehicle; or

982 (iii) a farm truck; [or]

983 ~~[(iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel~~
984 ~~as defined in Section ~~59-13-102~~; or]~~

985 ~~[(B) beginning on the effective date of rules made by the Department of Transportation~~
986 ~~authorized under Subsection ~~41-6a-702~~(5)(b) and until Subsection (4) applies, a vehicle~~
987 ~~powered by clean fuel that meets the standards established by the Department of Transportation~~
988 ~~in rules authorized under Subsection ~~41-6a-702~~(5)(b);]~~

989 (d) a recognition special group license [~~plates, which plates are~~] plate issued for:

990 (i) a current member of the Legislature;

991 (ii) a current member of the United States Congress;

992 (iii) a current member of the National Guard;

993 (iv) a licensed amateur radio operator;

994 [~~(v) a currently employed, volunteer, or retired firefighter until June 30, 2009;~~]

995 [~~(vi)~~] (v) an emergency medical technician;

996 [~~(vii)~~] (vi) a current member of a search and rescue team;

997 [~~(viii)~~] (vii) a current honorary consulate designated by the United States Department

998 of State;

999 [~~(ix)~~] (viii) an individual supporting commemoration and recognition of women's

1000 suffrage;

1001 [~~(x)~~] (ix) an individual supporting a fraternal, initiatic order for those sharing moral

1002 and metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly

1003 love, relief, and truth;

1004 [~~(xi)~~] (x) an individual supporting the Utah Wing of the Civil Air Patrol; or

1005 [~~(xii)~~] (xi) an individual supporting the recognition and continuation of the work and

1006 life of Dr. Martin Luther King, Jr.; or

1007 [~~(e) support special group license plates, as for a contributor to an institution or cause,~~

1008 ~~which plates are issued for a contributor to:~~]

1009 [~~(i) an institution's scholastic scholarship fund;~~]

1010 [~~(ii) the Division of Wildlife Resources;~~]

1011 [~~(iii) the Department of Veterans and Military Affairs;~~]

1012 [~~(iv) the Division of State Parks or the Division of Recreation;~~]

1013 [~~(v) the Department of Agriculture and Food;~~]

1014 [~~(vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;~~]

1015 [~~(vii) the Boy Scouts of America;~~]

1016 [~~(viii) spay and neuter programs through No More Homeless Pets in Utah;~~]

1017 [~~(ix) the Boys and Girls Clubs of America;~~]

1018 [~~(x) Utah public education;~~]

1019 [~~(xi) programs that provide support to organizations that create affordable housing for~~

1020 ~~those in severe need through the Division of Real Estate;]~~
1021 ~~[(xii) the Department of Public Safety;]~~
1022 ~~[(xiii) programs that support Zion National Park;]~~
1023 ~~[(xiv) beginning on July 1, 2009, programs that provide support to firefighter~~
1024 ~~organizations;]~~
1025 ~~[(xv) programs that promote bicycle operation and safety awareness;]~~
1026 ~~[(xvi) programs that conduct or support cancer research;]~~
1027 ~~[(xvii) programs that create or support autism awareness;]~~
1028 ~~[(xviii) programs that create or support humanitarian service and educational and~~
1029 ~~cultural exchanges;]~~
1030 ~~[(xix) until September 30, 2017, programs that conduct or support prostate cancer~~
1031 ~~awareness, screening, detection, or prevention;]~~
1032 ~~[(xx) programs that support and promote adoptions;]~~
1033 ~~[(xxi) programs that support issues affecting women and children through an~~
1034 ~~organization affiliated with a national professional men's basketball organization;]~~
1035 ~~[(xxii) programs that strengthen youth soccer, build communities, and promote~~
1036 ~~environmental sustainability through an organization affiliated with a professional men's soccer~~
1037 ~~organization;]~~
1038 ~~[(xxiii) programs that support children with heart disease;]~~
1039 ~~[(xxiv) programs that support the operation and maintenance of the Utah Law~~
1040 ~~Enforcement Memorial;]~~
1041 ~~[(xxv) programs that provide assistance to children with cancer;]~~
1042 ~~[(xxvi) programs that promote leadership and career development through agricultural~~
1043 ~~education;]~~
1044 ~~[(xxvii) the Utah State Historical Society;]~~
1045 ~~[(xxviii) programs to transport veterans to visit memorials honoring the service and~~
1046 ~~sacrifices of veterans;]~~
1047 ~~[(xxix) programs that promote motorcycle safety awareness;]~~
1048 ~~[(xxx) organizations that promote clean air through partnership, education, and~~
1049 ~~awareness;]~~
1050 ~~[(xxxix) programs dedicated to strengthening the state's Latino community through~~

1051 education, mentoring, and leadership opportunities;]
1052 [~~(xxxii) organizations dedicated to facilitating, connecting, registering, and advocating~~
1053 ~~for organ donors and donor families; or]~~
1054 [~~(xxxiii) public education on behalf of the Kiwanis International clubs.]~~
1055 (e) a support special group license plate described in Section [41-1a-1602](#).
1056 (2) [(a)] The division may not issue a new type of special group license plate or symbol
1057 decal unless the division receives:
1058 [(i)(A)] (a) a private donation for the start-up fee established under Section [63J-1-504](#)
1059 for the production and administrative costs of providing the new special group license [plates
1060 or decals] plate or symbol decal; or
1061 [(B)] (b) a legislative appropriation for the start-up fee [~~provided under~~] described in
1062 Subsection (2)(a)[(i)(A); and].
1063 [(ii) ~~beginning on January 1, 2012, and for the issuance of a support special group~~
1064 ~~license plate authorized in Section [41-1a-422](#), at least 500 completed applications for the new~~
1065 ~~type of support special group license plate or decal to be issued with all fees required under this~~
1066 ~~part for the support special group license plate or decal issuance paid by each applicant.]~~
1067 [(b) (i) ~~Beginning on January 1, 2012, each participating organization shall collect and~~
1068 ~~hold applications for support special group license plates or decals authorized in Section~~
1069 ~~[41-1a-422](#) on or after January 1, 2012, until it has received at least 500 applications.]~~
1070 [(ii) ~~Once a participating organization has received at least 500 applications, it shall~~
1071 ~~submit the applications, along with the necessary fees, to the division for the division to begin~~
1072 ~~working on the design and issuance of the new type of support special group license plate or~~
1073 ~~decal to be issued.]~~
1074 [(iii) ~~Beginning on January 1, 2012, the division may not work on the issuance or~~
1075 ~~design of a new support special group license plate or decal authorized in Section [41-1a-422](#)~~
1076 ~~until the applications and fees required under this Subsection (2) have been received by the~~
1077 ~~division.]~~
1078 [(iv) ~~The division shall begin issuance of a new support special group license plate or~~
1079 ~~decal authorized in Section [41-1a-422](#) on or after January 1, 2012, no later than six months~~
1080 ~~after receiving the applications and fees required under this Subsection (2).]~~
1081 [(c) (i) ~~Beginning on July 1, 2009, the division may not renew a motor vehicle~~

1082 ~~registration of a motor vehicle that has been issued a firefighter recognition special group~~
1083 ~~license plate unless the applicant is a contributor as defined in Subsection~~
1084 ~~41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.]~~

1085 ~~[(ii) A registered owner of a vehicle that has been issued a firefighter recognition~~
1086 ~~special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle~~
1087 ~~registration shall:]~~

1088 ~~[(A) be a contributor to the Firefighter Support Restricted Account as required under~~
1089 ~~Subsection (2)(c)(i); or]~~

1090 ~~[(B) replace the firefighter recognition special group license plate with a new license~~
1091 ~~plate:]~~

1092 ~~[(3) Beginning on July 1, 2011, if a support special group license plate or decal type~~
1093 ~~authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500~~
1094 ~~license plates issued each year for a three consecutive year time period that begins on July 1,~~
1095 ~~the division may not issue that type of support special group license plate or decal to a new~~
1096 ~~applicant beginning on January 1 of the following calendar year after the three consecutive year~~
1097 ~~time period for which that type of support special group license plate or decal has fewer than~~
1098 ~~500 license plates issued each year.]~~

1099 ~~[(4) Beginning on July 1, 2011, the division may not issue to an applicant a unique~~
1100 ~~vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).]~~

1101 ~~[(5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer~~
1102 ~~support special group license plate:]~~

1103 ~~[(b) A registered owner of a vehicle that has been issued a prostate cancer support~~
1104 ~~special group license plate before October 1, 2017, may renew the owner's motor vehicle~~
1105 ~~registration, with the contribution allocated as described in Section 41-1a-422.]~~

1106 Section 19. Section **41-1a-419** is amended to read:

1107 **41-1a-419. Plate design -- Vintage vehicle certification and registration --**

1108 **Personalized special group license plates -- Rulemaking.**

1109 ~~[(1) (a) The design and maximum number of numerals or characters on special group~~
1110 ~~license plates shall be determined by the division in accordance with the requirements under~~
1111 ~~Subsection (1)(b).]~~

1112 (1) (a) In accordance with Subsection (1)(b), the division shall determine the design

1113 and maximum number of numerals or characters on a special group license plate.

1114 (b) (i) Except as provided in Subsection (1)(b)(ii), each special group license plate
1115 shall display:

1116 (A) the word Utah;

1117 (B) the name or identifying slogan of the special group;

1118 (C) a symbol decal not exceeding two positions in size representing the special group;

1119 and

1120 (D) the combination of letters, numbers, or both uniquely identifying the registered
1121 vehicle.

1122 (ii) The division, in consultation with the Utah State Historical Society, shall design
1123 the historical support special group license plate, which shall:

1124 (A) have a black background;

1125 (B) have white characters; and

1126 (C) display the word Utah.

1127 (2) (a) The division shall, after consultation with a representative designated by the
1128 special group or sponsoring organization as defined in Section 41-1a-1601, specify the word or
1129 words comprising the special group name and the symbol decal to be displayed upon the
1130 special group license [~~plates~~] plate.

1131 (b) A special group license plate symbol decal may not be redesigned:

1132 (i) unless the division receives a redesign fee established by the division under Section
1133 63J-1-504; and

1134 (ii) more frequently than every five years.

1135 (c) [~~(i) Except as provided in Subsection (2)(c)(ii), a~~] A special group license plate
1136 symbol decal may not be reordered unless the division receives a symbol decal reorder fee
1137 established by the division [~~under~~] in accordance with Section 63J-1-504.

1138 [~~(ii) A recognition special group license plate symbol decal for a currently employed,
1139 volunteer, or retired firefighter issued in accordance with Subsection 41-1a-418(1)(d)(v) that is
1140 reordered on or after July 1, 2007, but on or before June 30, 2008, is exempt from the symbol
1141 decal reorder fee authorized under Subsection (2)(c)(i).]~~]

1142 (3) The license plates issued for horseless carriages prior to July 1, 1992, are valid
1143 without renewal as long as the vehicle is owned by the registered owner and the license plates

1144 may not be recalled by the division.

1145 ~~[(4) A person who meets the criteria established under Sections [41-1a-418](#) through~~
 1146 ~~[41-1a-422](#) for issuance of special group license plates may make application in the same~~
 1147 ~~manner provided in Sections [41-1a-410](#) and [41-1a-411](#) for personalized special group license~~
 1148 ~~plates.]~~

1149 (4) A person who meets the requirements described in this part or Part 16, Support
 1150 Special Group License Plates, for a special group license plate may, in accordance with
 1151 Sections [41-1a-410](#) and [41-1a-411](#), apply for a personalized special group license plate.

1152 (5) [The] Subject to the provisions of this chapter, the commission shall make rules in
 1153 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

1154 (a) establish qualifying criteria for persons to receive, renew, or surrender special group
 1155 license plates; and

1156 (b) establish the maximum number of numerals or characters for special group license
 1157 plates.

1158 Section 20. Section **41-1a-421** is amended to read:

1159 **41-1a-421. Veteran special group license plates -- Personal identity requirements.**

1160 (1) (a) The requirements of this Subsection (1) apply to a vehicle displaying a:

1161 (i) survivor of the Japanese attack on Pearl Harbor license plate;

1162 (ii) former prisoner of war license plate;

1163 (iii) Purple Heart license plate;

1164 (iv) disabled veteran license plate; or

1165 (v) a state agency revenue support special group license plate as defined in Section
 1166 [41-1a-1601](#) for a recipient of a campaign or combat theater award [license plate].

1167 ~~[(b) The vehicle shall be titled in the name of the veteran or the veteran and spouse.]~~

1168 (b) A person may not display a license plate described in Subsection (1) on a vehicle,
 1169 unless the vehicle is titled in:

1170 (i) the veteran's name; or

1171 (ii) both the veteran's and the veteran's spouse's name.

1172 (c) Upon the death of the veteran, the veteran's surviving spouse may, upon application
 1173 to the division, retain the special group license plate symbol decal ~~[so long as]~~ if the veteran's
 1174 surviving spouse remains unmarried.

1175 ~~[(d) The division shall require the surviving spouse to make a sworn statement that the~~
1176 ~~surviving spouse is unmarried before renewing the registration under this section.]~~

1177 (d) Before a veteran's surviving spouse renews a registration under this section, the
1178 division shall require the veteran's surviving spouse to submit a sworn statement to the division
1179 that states the veteran's surviving spouse remains unmarried.

1180 (2) Proper evidence of a Purple Heart is either:

1181 (a) a membership card in the Military Order of the Purple Heart; or

1182 (b) an original or certificate in lieu of the applicant's military discharge form, DD-214,
1183 issued by the National Personnel Records Center.

1184 (3) The Purple Heart license plates shall bear:

1185 (a) the words "Purple Heart" at the bottom of the plate;

1186 (b) a logo substantially depicting a Purple Heart award; and

1187 (c) the letter and number combinations assigned by the division.

1188 (4) Proper evidence that a person is a disabled veteran is a written document issued by
1189 a military entity certifying that the person is disabled as a result of service in a branch of the
1190 United States Military.

1191 (5) A disabled veteran seeking a disabled veteran license plate shall request the
1192 Department of Veterans and Military Affairs to provide the verification required under
1193 Subsection (4).

1194 (6) (a) An applicant for a gold star license plate shall submit written documentation
1195 that the applicant is a recipient of a gold star award issued by the United States Secretary of
1196 Defense.

1197 (b) Written documentation under Subsection (6)(a) may include any of the following:

1198 (i) a death certificate;

1199 (ii) documentation showing classification of death as listed by the United States
1200 Secretary of Defense;

1201 (iii) a casualty report;

1202 (iv) a telegram from the United States Secretary of Defense or one of the branches of
1203 the United States armed forces; or

1204 (v) other documentation that verifies the applicant meets the requirements of
1205 Subsection (6)(a).

1206 [~~(7) An applicant for a campaign or combat theater award special group license plate~~
1207 ~~shall:]~~

1208 [~~(a) be a contributor in accordance with Subsections [41-1a-422](#)(1)(a)(i)(B) and~~
1209 ~~(1)(a)(ii)(A); and]~~

1210 [~~(b) submit a form to the division obtained from the Department of Veterans and~~
1211 ~~Military Affairs which verifies that the applicant qualifies for the campaign or combat theater~~
1212 ~~award special group license plate requested.]~~

1213 [~~(8) Each campaign or combat theater award special group license plate authorized by~~
1214 ~~the Department of Veterans and Military Affairs shall be considered a new special group~~
1215 ~~license plate and require the payment of the fees associated with newly authorized special~~
1216 ~~group license plates.]~~

1217 Section 21. Section **41-1a-1201** is amended to read:

1218 **41-1a-1201. Disposition of fees.**

1219 (1) All fees received and collected under this part shall be transmitted daily to the state
1220 treasurer.

1221 (2) Except as provided in Subsections (3), (6), (7), (8), and (9) and Sections
1222 [~~41-1a-422;~~] [41-1a-1220](#), [41-1a-1221](#), [~~and~~] [41-1a-1223](#), and [41-1a-1603](#), all fees collected
1223 under this part shall be deposited [~~in~~] into the Transportation Fund.

1224 (3) Funds generated under Subsections [41-1a-1211](#)(1)(b)(ii), (6)(b)(ii), and (7) and
1225 Section [41-1a-1212](#) may be used by the commission to cover the costs incurred in issuing
1226 license plates under Part 4, License Plates and Registration Indicia.

1227 (4) In accordance with Section [63J-1-602.2](#), all funds available to the commission for
1228 the purchase and distribution of license plates and decals are nonlapsing.

1229 (5) (a) Except as provided in Subsections (3) and (5)(b) and Section [41-1a-1205](#), the
1230 expenses of the commission in enforcing and administering this part shall be provided for by
1231 legislative appropriation from the revenues of the Transportation Fund.

1232 (b) Three dollars of the registration fees imposed under Subsections [41-1a-1206](#)(2)(a)
1233 and (b) for each vehicle registered for a six-month registration period under Section
1234 [41-1a-215.5](#) may be used by the commission to cover the costs incurred in enforcing and
1235 administering this part.

1236 (6) (a) The following portions of the registration fees imposed under Section

1237 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005
1238 created under Section 72-2-124:

1239 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),
1240 (1)(f), (4), and (7);

1241 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and
1242 (1)(c)(ii);

1243 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

1244 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

1245 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

1246 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

1247 (b) The following portions of the registration fees collected for each vehicle registered
1248 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the
1249 Transportation Investment Fund of 2005 created by Section 72-2-124:

1250 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

1251 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

1252 (7) (a) Ninety-four cents of each registration fee imposed under Subsections
1253 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted
1254 Account created in Section 53-3-106.

1255 (b) Seventy-one cents of each registration fee imposed under Subsections
1256 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under
1257 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in
1258 Section 53-3-106.

1259 (8) (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)
1260 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted
1261 Account created in Section 53-8-214.

1262 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)
1263 and (b) for each vehicle registered for a six-month registration period under Section
1264 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account
1265 created in Section 53-8-214.

1266 (9) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for
1267 each motorcycle shall be deposited [in] into the Spinal Cord and Brain Injury Rehabilitation

1268 Fund created in Section 26-54-102.

1269 Section 22. Section 41-1a-1211 is amended to read:

1270 **41-1a-1211. License plate fees -- Application fees for issuance and renewal of**
1271 **personalized and special group license plates -- Replacement fee for license plates --**
1272 **Postage fees.**

1273 (1) (a) Except as provided in Subsections (11), (12), (13), and (14), a license plate fee
1274 established in accordance with Section 63J-1-504 shall be paid to the division for the issuance
1275 of any new license plate under Part 4, License Plates and Registration Indicia.

1276 (b) The license plate fee shall be deposited as follows:

1277 (i) \$1 in the Transportation Fund; and

1278 (ii) the remainder of the fee charged under Subsection (1)(a), as provided in Section
1279 41-1a-1201.

1280 (2) An applicant for original issuance of personalized license plates issued under
1281 Section 41-1a-410 shall pay a \$50 per set license plate application fee in addition to the fee
1282 required in Subsection (1).

1283 (3) Beginning July 1, 2003, a person who applies for a special group license plate shall
1284 pay a \$5 fee for the original set of license plates in addition to the fee required under
1285 Subsection (1).

1286 (4) An applicant for original issuance of personalized special group license plates shall
1287 pay the license plate application fees required in Subsection (2) in addition to the license plate
1288 fees and license plate application fees established under Subsections (1) and (3).

1289 (5) An applicant for renewal of personalized license plates issued under Section
1290 41-1a-410 shall pay a \$10 per set application fee.

1291 (6) (a) The division may charge a fee established under Section 63J-1-504 to recover
1292 the costs for the replacement of any license plate issued under Part 4, License Plates and
1293 Registration Indicia.

1294 (b) The license plate fee shall be deposited as follows:

1295 (i) \$1 in the Transportation Fund; and

1296 (ii) the remainder of the fee charged under Subsection (6)(a), as provided in Section
1297 41-1a-1201.

1298 (7) The division may charge a fee established under Section 63J-1-504 to recover [its]

1299 the division's costs for the replacement of [~~decals~~] a symbol decal issued under Section
1300 41-1a-418.

1301 (8) The division may charge a fee established under Section 63J-1-504 to recover the
1302 cost of issuing stickers under Section 41-1a-416.

1303 (9) In addition to any other fees required by this section, the division shall assess a fee
1304 established under Section 63J-1-504 to cover postage expenses if new or replacement license
1305 plates are mailed to the applicant.

1306 (10) The fees required under this section are separate from and in addition to
1307 registration fees required under Section 41-1a-1206.

1308 (11) (a) An applicant for a license plate issued under Section 41-1a-407 is not subject
1309 to the license plate fee under Subsection (1).

1310 (b) An applicant for a Purple Heart special group license plate issued in accordance
1311 with Section 41-1a-421 is exempt from the fees under Subsections (1), (3), and (7).

1312 (12) A person is exempt from the fee under Subsection (1) or (6) if the person:

1313 (a) was issued a clean fuel special group license plate in accordance with Section
1314 41-1a-418 prior to the effective date of rules made by the Department of Transportation under
1315 Subsection 41-6a-702(5)(b);

1316 (b) beginning on the effective date of rules made by the Department of Transportation
1317 authorized under Subsection 41-6a-702(5)(b), is no longer eligible for a clean fuel special
1318 group license plate under the rules made by the Department of Transportation; and

1319 (c) upon renewal or reissuance, is required to replace the clean fuel special group
1320 license plate with a new license plate.

1321 [~~(13) Until June 30, 2011, a person is exempt from the license plate fee under~~
1322 ~~Subsection (1) or (6) if the person:]~~

1323 [~~(a) was issued a firefighter recognition special group license plate in accordance with~~
1324 ~~Section 41-1a-418 prior to July 1, 2009;]~~

1325 [~~(b) upon renewal of the person's vehicle registration on or after July 1, 2009, is not a~~
1326 ~~contributor to the Firefighter Support Restricted Account as required under Section 41-1a-418;~~
1327 ~~and]~~

1328 [~~(c) is required to replace the firefighter special group license plate with a new license~~
1329 ~~plate in accordance with Section 41-1a-418.]~~

1330 [~~14~~] (13) A person is not subject to the license plate fee under Subsection (1) if the
1331 person presents official documentation that the person is a recipient of the Purple Heart Award
1332 issued:

1333 (a) by a recognized association representing peace officers who:

1334 (i) receives a salary from a federal, state, county, or municipal government or any
1335 subdivision of the state; and

1336 (ii) works in the state; or

1337 (b) in accordance with Subsection 41-1a-421(2).

1338 Section 23. Section 41-1a-1212 is amended to read:

1339 **41-1a-1212. Fee for replacement of license plate decals.**

1340 A fee established in accordance with Section 63J-1-504 shall be paid to the division for
1341 the replacement of a license plate registration decal required by Section 41-1a-402 or a
1342 registration decal required by Section 41-1a-401.

1343 Section 24. Section 41-1a-1305 is amended to read:

1344 **41-1a-1305. License plate and registration card violations -- Class C**
1345 **misdemeanor.**

1346 It is a class C misdemeanor:

1347 (1) to break, injure, interfere with, or remove from any vehicle any seal, lock, or device
1348 on it for holding or displaying any license plate or registration card attached for denoting
1349 registration and identity of the vehicle;

1350 (2) to remove from any registered vehicle the license plate or registration card issued or
1351 attached to it for its registration;

1352 (3) to place or display any license plate or registration card upon any other vehicle than
1353 the one for which it was issued by the division;

1354 (4) to use or permit the use or display of any license plate, registration card, or permit
1355 upon or in the operation of any vehicle other than that for which it was issued;

1356 (5) to operate upon any highway of this state any vehicle required by law to be
1357 registered without having the license plate or plates securely attached, except that the
1358 registration card issued by the division to all trailers and semitrailers shall be carried in the
1359 towing vehicle;

1360 (6) for any weighmaster to knowingly make any false entry in his record of weights of

1361 vehicles subject to registration or to knowingly report to the commission or division any false
1362 information regarding the weights;

1363 (7) for any inspector, officer, agent, employee, or other person performing any of the
1364 functions required for the registration or operation of vehicles subject to registration, to do,
1365 permit, cause, connive at, or permit to be done any act with the intent, or knowledge that the
1366 probable effect of the act would be to injure any person, deprive him of his property, or to
1367 injure or defraud the state with respect to its revenues relating to title or registration of
1368 vehicles;

1369 (8) for any person to combine or conspire with another to do, attempt to do, or cause or
1370 allow any of the acts in this chapter classified as a misdemeanor;

1371 (9) to operate any motor vehicle with a camper mounted on it upon any highway
1372 without displaying a current registration decal in clear sight upon the rear of the camper, issued
1373 by the county assessor of the county in which the camper has situs for taxation;

1374 (10) to manufacture, use, display, or sell any facsimile or reproduction of any license
1375 plate issued by the division or any article that would appear to be a substitute for a license
1376 plate; or

1377 (11) to fail to return to the division any registration card, license plate or plates,
1378 registration decal, permit, or title that has been canceled, suspended, voided, or revoked.

1379 Section 25. Section **41-1a-1601** is enacted to read:

1380 **Part 16. Support Special Group License Plates**

1381 **41-1a-1601. Definitions.**

1382 As used in this part:

1383 (1) "Applicant" means a registered owner who submits an application for a support
1384 special group license plate in accordance with this part.

1385 (2) "Collegiate support special group license plate" means a support special group
1386 license plate issued to a contributor to an institution.

1387 (3) "Contributor" means an applicant who contributes the required contribution to a
1388 sponsoring organization for a support special group license plate.

1389 (4) "Existing support special group license plate" means a support special group license
1390 plate that the division issues:

1391 (a) as of January 1, 2023; or

- 1392 (b) in accordance with this part on or after January 1, 2023.
- 1393 (5) "Institution" means:
- 1394 (a) a state institution of higher education as defined in Section [53B-3-102](#); or
- 1395 (b) a private institution of higher education in the state accredited by a regional or
- 1396 national accrediting agency recognized by the United State Department of Education.
- 1397 (6) "Private nonprofit organization" means a private nonprofit organization that:
- 1398 (a) qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue
- 1399 Code; and
- 1400 (b) has a charitable purpose or scientific research purpose.
- 1401 (7) "Private nonprofit support special group license plate" means a support special
- 1402 group license plate issued to a contributor to a private nonprofit organization.
- 1403 (8) "Required contribution" means:
- 1404 (a) the minimum contribution amount established by the division under Subsection
- 1405 [41-1a-1603\(4\)\(a\)\(iii\)](#); or
- 1406 (b) if the sponsoring organization establishes a minimum contribution amount in
- 1407 accordance with Subsection [41-1a-1603\(4\)\(b\)](#), the amount the sponsoring organization
- 1408 establishes under Subsection [41-1a-1603\(4\)\(b\)](#).
- 1409 (9) "Sponsoring organization" means an institution, a private nonprofit, or a state
- 1410 agency that:
- 1411 (a) is or seeks to be associated with a support special group license plate; and
- 1412 (b) receives or seeks to receive contributions from applicants as part of the support
- 1413 special group license plate program created under this part.
- 1414 (10) (a) "State agency revenue support special group license plate" means a support
- 1415 special group license plate issued to a contributor to a state agency to support a specific state
- 1416 agency program.
- 1417 (b) "State agency revenue support special group license plate" includes:
- 1418 (i) a veterans support special group license plate displaying a symbol representing the
- 1419 Army, Navy, Air Force, Marines, Coast Guard, or American Legion; and
- 1420 (ii) a campaign or combat theater award support special group license plate.
- 1421 (11) "Support special group license plate" means a license plate:
- 1422 (a) designed for and associated with a sponsoring organization; and

1423 (b) issued to a contributor to the sponsoring organization in accordance with this part.

1424 Section 26. Section **41-1a-1602** is enacted to read:

1425 **41-1a-1602. Support special group license plate program.**

1426 (1) The division shall establish and administer a support special group license plate
1427 program as described in this part.

1428 (2) The division shall issue to an applicant who satisfies the requirements of this part
1429 one of the following:

1430 (a) a collegiate support special group license plate;

1431 (b) a private nonprofit support special group license plate; or

1432 (c) a state agency revenue support special group license plate.

1433 Section 27. Section **41-1a-1603** is enacted to read:

1434 **41-1a-1603. Application Requirements -- Fees -- Contributions -- Rulemaking.**

1435 (1) An applicant for an original issue or renewal of a support special group license
1436 plate shall submit to the division:

1437 (a) in a form and manner that the division prescribes, a complete application;

1438 (b) payment of the fee for the issuance or renewal of the support special group license
1439 plate established under Subsection (4)(a)(i);

1440 (c) (i) the required contribution for the support special group license plate; or

1441 (ii) if the application is for a new type of support special group license plate, a copy of
1442 the verification form that verifies that the applicant is a contributor to the sponsoring
1443 organization; and

1444 (d) if the application is for a state agency revenue support special group license plate
1445 that is a campaign or combat theater award support special group license plate, a form obtained
1446 from the Department of Veterans and Military Affairs that verifies the applicant is a recipient
1447 of a campaign or combat theater award.

1448 (2) (a) An applicant who wishes to obtain a new type of support special group license
1449 plate may preorder the new type of support special group license plate by:

1450 (i) submitting a complete preorder form created by the division to the sponsoring
1451 organization associated with the new type of support special group license plate; and

1452 (ii) making the required contribution to the sponsoring organization.

1453 (b) After the division approves the sponsoring organization's request for the new type

1454 of support special group license plate under Section 41-1a-1604, an applicant who submitted a
1455 preorder in accordance with this subsection shall apply for the support special group license
1456 plate in accordance with Subsection (1).

1457 (3) After the division issues a support special group license plate or renewal decal, the
1458 division shall charge the sponsoring organization a fee for the division's management and
1459 administrative expenses incurred in issuing and renewing the support special group license
1460 plate.

1461 (4) (a) The division shall, in accordance with Section 63J-1-504, establish:

1462 (i) the fee to charge an applicant for the division's costs of issuing or renewing an
1463 original issue or renewal support special group license plate or symbol decal;

1464 (ii) the fee to charge a sponsoring organization for the division's costs of designing and
1465 administering a new type of support special group license plate; and

1466 (iii) subject to Subsection (4)(b), the minimum contribution amount an applicant is
1467 required to make before the applicant may obtain or renew the sponsoring organization's
1468 support special group license plate.

1469 (b) A sponsoring organization may establish a required contribution amount for the
1470 sponsoring organization's support special group license plate that is greater than the amount
1471 established by the division under Subsection (4)(a)(iii).

1472 (5) (a) The division shall, at least annually, deposit collected contributions under this
1473 section into the appropriate account less the division's actual administrative costs associated
1474 with issuing the support special group license plate.

1475 (b) An applicant's contribution described in this section is a voluntary contribution for
1476 funding the sponsoring organization's activities and not a motor vehicle registration fee.

1477 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1478 commission shall make rules to establish and administer the support special group license plate
1479 program, including to:

1480 (a) implement the eligibility criteria;

1481 (b) approve a new type of support special group license plate;

1482 (c) continue an existing support special group license plate; and

1483 (d) discontinue an existing support special group license plate.

1484 Section 28. Section **41-1a-1604** is enacted to read:

- 1485 **41-1a-1604. New support special group license plates -- Eligibility criteria.**
- 1486 (1) Subject to the other provisions of this part, after a sponsoring organization receives
- 1487 500 preorders under Subsection 41-1a-1603(2) for a new type of support special group license
- 1488 plate, the sponsoring organization shall submit to the division, in a form and manner the
- 1489 division prescribes:
- 1490 (a) a request to issue the new type of support special group license plate;
- 1491 (b) at least 500 complete preorder applications for the new type of support special
- 1492 group license plate;
- 1493 (c) the fee for the cost of designing and administering the new type of support special
- 1494 group license plate established under Subsection 41-1a-1603(4)(a)(ii); and
- 1495 (d) if the new type of support special group license plate is a private nonprofit special
- 1496 group license plate:
- 1497 (i) information about the sponsoring organization specified by commission rule;
- 1498 (ii) contact information for an individual representing the sponsoring organization;
- 1499 (iii) account information for directing funds the division receives through the support
- 1500 special group license plate program to the sponsoring organization; and
- 1501 (iv) evidence that the sponsoring organization maintains a functional website that:
- 1502 (A) explains how the contributions to the organization will be used in accordance with
- 1503 this section;
- 1504 (B) makes available the sponsoring organization's current IRS Form 990; and
- 1505 (C) provides instructions for how to donate and become eligible for the organization's
- 1506 proposed or existing support special group license plate.
- 1507 (2) The division may not begin design work on or issue a new type of support special
- 1508 group license plate unless the sponsoring organization satisfies the requirements of Subsection
- 1509 (1).
- 1510 (3) A sponsoring organization of a new type of support special group license plate
- 1511 shall:
- 1512 (a) collect and hold each complete preorder application for the support special group
- 1513 license plate until the sponsoring organization receives at least 500 complete preorder
- 1514 applications and the required contributions; and
- 1515 (b) once the sponsoring organization receives at least 500 complete preorder

1516 applications and required contributions, submit to the division the complete preorder
1517 applications and the required fees described in Subsection 41-1a-1603(4)(a)(ii).

1518 (4) The division shall begin issuing the new type of support special group license plate
1519 no later than six months after the day on which the division receives the items described in
1520 Subsection (1).

1521 (5) The division may consider a support special group license plate for more than one
1522 military branch as a single license plate type for the purposes of meeting the eligibility criteria
1523 described in this section.

1524 Section 29. Section **41-1a-1605** is enacted to read:

1525 **41-1a-1605. Collegiate support special group license plates.**

1526 (1) A sponsoring organization that is an institution shall:

1527 (a) issue to each contributor a verification form designed by the commission that
1528 includes:

1529 (i) the name of the contributor;

1530 (ii) the institution's name; and

1531 (iii) the date of the contribution; and

1532 (b) only use funds received through the support special group license plate program for
1533 the institution's scholastic scholarships.

1534 (2) The state auditor may audit each institution to verify that the money an institution
1535 collects from contributors is used only for scholastic scholarships.

1536 Section 30. Section **41-1a-1606** is enacted to read:

1537 **41-1a-1606. Private nonprofit support special group license plates.**

1538 (1) A sponsoring organization that is a private nonprofit organization shall:

1539 (a) issue to each contributor a verification form designed by the commission that
1540 includes:

1541 (i) the name of the contributor;

1542 (ii) the private nonprofit organization's name; and

1543 (iii) the date of the contribution; and

1544 (b) only use funds received through the support special group license plate program to
1545 pay the private nonprofit organization's employee salaries, administrative costs, or fundraising
1546 expenses.

1547 (2) A private nonprofit organization may collect a contributor's personal information
1548 for the purposes of future fundraising and any required reporting.

1549 Section 31. Section **41-1a-1607** is enacted to read:

1550 **41-1a-1607. State agency revenue support special group license plates.**

1551 (1) (a) Except as provided in Subsection (1)(b), a sponsoring organization that is a state
1552 agency may not submit a request for a new type of state agency revenue support special group
1553 license plate unless the governor or the governor's designee approves the request and the
1554 funding source from which to pay the fee established under Subsection [41-1a-1603\(4\)\(a\)\(ii\)](#).

1555 (b) Upon a request from the state agency, the executive director of the commission may
1556 exempt a state agency from the requirements of Subsection (1)(a).

1557 (2) A sponsoring organization that is a state agency shall issue to a contributor a
1558 verification form designed by the commission that includes:

1559 (a) the name of the contributor;

1560 (b) the state agency's name; and

1561 (c) the date of the contribution.

1562 (3) The money collected from a state agency revenue support special group license
1563 plate:

1564 (a) shall be used to support the implementation or administration of the state agency's
1565 designated program described in Subsection (1)(a); and

1566 (b) may not be directed to a nongovernmental entity.

1567 Section 32. Section **41-1a-1608** is enacted to read:

1568 **41-1a-1608. Review -- Discontinuance.**

1569 (1) The division shall annually review each support special group license plate to
1570 determine the number of each type of support special group license plates the division issued
1571 during the preceding calendar year.

1572 (2) If the division issues fewer than 500 support special group license plates of a
1573 particular type each year for two consecutive years, beginning on January 1 of the calendar year
1574 following the second annual review, the division may not issue the support special group
1575 license plate.

1576 (3) If the division discontinues a type of support special group license plate in
1577 accordance with this section, the division may not reissue the support special group license

1578 plate, unless the sponsoring organization submits a request for a new type of support special
1579 group license plate in accordance with Section [41-1a-1604](#).

1580 Section 33. Section **41-1a-1609** is enacted to read:

1581 **41-1a-1609. Transition of existing support special group license plates.**

1582 (1) Except as provided in this section, the division may not issue an existing support
1583 special group license plate on or after January 1, 2023.

1584 (2) The division may issue an existing support special group license plate if:

1585 (a) the sponsoring organization submits to the division a request to sponsor the support
1586 special group license plate in accordance with Subsection [41-1a-1604](#)(1); and

1587 (b) the division issued at least 500 of the existing support special group license plate
1588 each of the two calendar years immediately preceding January 1, 2023.

1589 (3) If a sponsoring organization that is a state agency meets the requirements of
1590 Subsection (2), upon notice to the division, the sponsoring organization may transfer the
1591 support special group license plate to a private nonprofit to sponsor the support special group
1592 license plate as a private nonprofit support special group license plate.

1593 (4) If the division discontinues an existing support special group license plate in
1594 accordance with this section, the division may reissue the existing support special group license
1595 plate only if:

1596 (a) a sponsoring organization submits to the division a request to reissue an existing
1597 support special group license plate; and

1598 (b) the request meets the initial eligibility requirements described in Subsection
1599 [41-1a-1604](#).

1600 (5) (a) A registered owner who was issued a support special group license plate that the
1601 division discontinues in accordance with this section may continue to display the license plate
1602 upon renewing the motor vehicle's registration.

1603 (b) A registered owner described in Subsection (5)(a) is not required to pay a
1604 contribution to the sponsoring organization associated with the support special group license
1605 plate.

1606 (6) The division may not transfer a discontinued support special group license plate to
1607 a new registered owner.

1608 Section 34. Section **41-6a-1642** is amended to read:

1609 **41-6a-1642. Emissions inspection -- County program.**

1610 (1) The legislative body of each county required under federal law to utilize a motor
1611 vehicle emissions inspection and maintenance program or in which an emissions inspection
1612 and maintenance program is necessary to attain or maintain any national ambient air quality
1613 standard shall require:

1614 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
1615 is exempt from emissions inspection and maintenance program requirements be presented:

1616 (i) as a condition of registration or renewal of registration; and

1617 (ii) at other times as the county legislative body may require to enforce inspection
1618 requirements for individual motor vehicles, except that the county legislative body may not
1619 routinely require a certificate of emissions inspection, or waiver of the certificate, more often
1620 than required under Subsection (9); and

1621 (b) compliance with this section for a motor vehicle registered or principally operated
1622 in the county and owned by or being used by a department, division, instrumentality, agency, or
1623 employee of:

1624 (i) the federal government;

1625 (ii) the state and any of its agencies; or

1626 (iii) a political subdivision of the state, including school districts.

1627 (2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions
1628 inspection and maintenance program certificate of emissions inspection as described in
1629 Subsection (1), but the program may not deny vehicle registration based solely on the presence
1630 of a defeat device covered in the Volkswagen partial consent decrees or a United States
1631 Environmental Protection Agency-approved vehicle modification in the following vehicles:

1632 (a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
1633 emissions are mitigated in the state pursuant to a partial consent decree, including:

1634 (i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

1635 (ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
1636 2014;

1637 (iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

1638 (iv) Volkswagen Golf Sportwagen, model year 2015;

1639 (v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

- 1640 (vi) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 1641 (vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 1642 (viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
- 1643 (b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 1644 emissions are mitigated in the state to a settlement, including:
- 1645 (i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
- 1646 2016;
- 1647 (ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
- 1648 (iii) Audi A6 Quattro, model years 2014, 2015, and 2016;
- 1649 (iv) Audi A7 Quattro, model years 2014, 2015, and 2016;
- 1650 (v) Audi A8, model years 2014, 2015, and 2016;
- 1651 (vi) Audi A8L, model years 2014, 2015, and 2016;
- 1652 (vii) Audi Q5, model years 2014, 2015, and 2016; and
- 1653 (viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 1654 (3) (a) The legislative body of a county identified in Subsection (1), in consultation
- 1655 with the Air Quality Board created under Section [19-1-106](#), shall make regulations or
- 1656 ordinances regarding:
- 1657 (i) emissions standards;
- 1658 (ii) test procedures;
- 1659 (iii) inspections stations;
- 1660 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 1661 (v) certificates of emissions inspections.
- 1662 (b) In accordance with Subsection (3)(a), a county legislative body:
- 1663 (i) shall make regulations or ordinances to attain or maintain ambient air quality
- 1664 standards in the county, consistent with the state implementation plan and federal
- 1665 requirements;
- 1666 (ii) may allow for a phase-in of the program by geographical area; and
- 1667 (iii) shall comply with the analyzer design and certification requirements contained in
- 1668 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.
- 1669 (c) The county legislative body and the Air Quality Board shall give preference to an
- 1670 inspection and maintenance program that:

- 1671 (i) is decentralized, to the extent the decentralized program will attain and maintain
1672 ambient air quality standards and meet federal requirements;
- 1673 (ii) is the most cost effective means to achieve and maintain the maximum benefit with
1674 regard to ambient air quality standards and to meet federal air quality requirements as related to
1675 vehicle emissions; and
- 1676 (iii) provides a reasonable phase-out period for replacement of air pollution emission
1677 testing equipment made obsolete by the program.
- 1678 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
1679 (i) may be accomplished in accordance with applicable federal requirements; and
1680 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
1681 quality standards.
- 1682 (4) The following vehicles are exempt from an emissions inspection program and the
1683 provisions of this section:
- 1684 (a) an implement of husbandry as defined in Section [41-1a-102](#);
- 1685 (b) a motor vehicle that:
1686 (i) meets the definition of a farm truck under Section [41-1a-102](#); and
1687 (ii) has a gross vehicle weight rating of 12,001 pounds or more;
- 1688 (c) subject to Subsection (14), a vintage vehicle as defined in Section [41-21-1](#);
- 1689 (d) a custom vehicle as defined in Section [41-6a-1507](#);
- 1690 (e) to the extent allowed under the current federally approved state implementation
1691 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor
1692 vehicle that is less than two years old on January 1 based on the age of the vehicle as
1693 determined by the model year identified by the manufacturer;
- 1694 (f) a pickup truck, as defined in Section [41-1a-102](#), with a gross vehicle weight rating
1695 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed
1696 statement to the legislative body stating the truck is used:
1697 (i) by the owner or operator of a farm located on property that qualifies as land in
1698 agricultural use under Sections [59-2-502](#) and [59-2-503](#); and
1699 (ii) exclusively for the following purposes in operating the farm:
1700 (A) for the transportation of farm products, including livestock and its products,
1701 poultry and its products, floricultural and horticultural products; and

1702 (B) in the transportation of farm supplies, including tile, fence, and every other thing or
1703 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production
1704 and maintenance;

1705 (g) a motorcycle as defined in Section 41-1a-102;

1706 (h) an electric motor vehicle as defined in Section 41-1a-102; and

1707 (i) a motor vehicle with a model year of 1967 or older.

1708 (5) The county shall issue to the registered owner who signs and submits a signed
1709 statement under Subsection (4)(f) a certificate of exemption from emissions inspection
1710 requirements for purposes of registering the exempt vehicle.

1711 (6) A legislative body of a county described in Subsection (1) may exempt from an
1712 emissions inspection program a diesel-powered motor vehicle with a:

1713 (a) gross vehicle weight rating of more than 14,000 pounds; or

1714 (b) model year of 1997 or older.

1715 (7) The legislative body of a county required under federal law to utilize a motor
1716 vehicle emissions inspection program shall require:

1717 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

1718 (i) a model year of 2007 or newer;

1719 (ii) a gross vehicle weight rating of 14,000 pounds or less; and

1720 (iii) a model year that is five years old or older; and

1721 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

1722 (i) with a gross vehicle weight rating of 14,000 pounds or less;

1723 (ii) that has a model year of 1998 or newer; and

1724 (iii) that has a model year that is five years old or older.

1725 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
1726 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
1727 which an emissions inspection and maintenance program is necessary to attain or maintain any
1728 national ambient air quality standard may require each college or university located in a county
1729 subject to this section to require its students and employees who park a motor vehicle not
1730 registered in a county subject to this section to provide proof of compliance with an emissions
1731 inspection accepted by the county legislative body if the motor vehicle is parked on the college
1732 or university campus or property.

1733 (b) College or university parking areas that are metered or for which payment is
1734 required per use are not subject to the requirements of this Subsection (8).

1735 (c) The legislative body of a county shall make the reasons for implementing the
1736 provisions of this Subsection (8) part of the record at the time that the county legislative body
1737 takes its official action to implement the provisions of this Subsection (8).

1738 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection
1739 for each motor vehicle that meets the inspection and maintenance program requirements
1740 established in rules made under Subsection (3).

1741 (b) The frequency of the emissions inspection shall be determined based on the age of
1742 the vehicle as determined by model year and shall be required annually subject to the
1743 provisions of Subsection (9)(c).

1744 (c) (i) To the extent allowed under the current federally approved state implementation
1745 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative
1746 body of a county identified in Subsection (1) shall only require the emissions inspection every
1747 two years for each vehicle.

1748 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six
1749 years old on January 1.

1750 (iii) For a county required to implement a new vehicle emissions inspection and
1751 maintenance program on or after December 1, 2012, under Subsection (1), but for which no
1752 current federally approved state implementation plan exists, a vehicle shall be tested at a
1753 frequency determined by the county legislative body, in consultation with the Air Quality
1754 Board created under Section [19-1-106](#), that is necessary to comply with federal law or attain or
1755 maintain any national ambient air quality standard.

1756 (iv) If a county legislative body establishes or changes the frequency of a vehicle
1757 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment
1758 or change shall take effect on January 1 if the State Tax Commission receives notice meeting
1759 the requirements of Subsection (9)(c)(v) from the county before October 1.

1760 (v) The notice described in Subsection (9)(c)(iv) shall:

1761 (A) state that the county will establish or change the frequency of the vehicle emissions
1762 inspection and maintenance program under this section;

1763 (B) include a copy of the ordinance establishing or changing the frequency; and

1764 (C) if the county establishes or changes the frequency under this section, state how
1765 frequently the emissions testing will be required.

1766 (d) If an emissions inspection is only required every two years for a vehicle under
1767 Subsection (9)(c), the inspection shall be required for the vehicle in:

1768 (i) odd-numbered years for vehicles with odd-numbered model years; or

1769 (ii) in even-numbered years for vehicles with even-numbered model years.

1770 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection
1771 required under this section may be made no more than two months before the renewal of
1772 registration.

1773 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an
1774 emissions inspection certificate issued for the motor vehicle during the previous 11 months to
1775 satisfy the requirement under this section.

1776 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may
1777 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded
1778 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under
1779 this section.

1780 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the
1781 lessee may use an emissions inspection certificate issued during the previous 11 months to
1782 satisfy the requirement under this section.

1783 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not
1784 use an emissions inspection made more than 11 months before the renewal of registration to
1785 satisfy the requirement under this section.

1786 (e) If the application for renewal of registration is for a six-month registration period
1787 under Section [41-1a-215.5](#), the owner may use an emissions inspection certificate issued during
1788 the previous eight months to satisfy the requirement under this section.

1789 (11) (a) A county identified in Subsection (1) shall collect information about and
1790 monitor the program.

1791 (b) A county identified in Subsection (1) shall supply this information to an appropriate
1792 legislative committee, as designated by the Legislative Management Committee, at times
1793 determined by the designated committee to identify program needs, including funding needs.

1794 (12) If approved by the county legislative body, a county that had an established

1795 emissions inspection fee as of January 1, 2002, may increase the established fee that an
 1796 emissions inspection station may charge by \$2.50 for each year that is exempted from
 1797 emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

1798 (13) (a) Except as provided in Subsection [41-1a-1223](#)(1)(c), a county identified in
 1799 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration
 1800 within the county in accordance with the procedures and requirements of Section [41-1a-1223](#).

1801 (b) A county that imposes a local emissions compliance fee may use revenues
 1802 generated from the fee for the establishment and enforcement of an emissions inspection and
 1803 maintenance program in accordance with the requirements of this section.

1804 (c) A county that imposes a local emissions compliance fee may use revenues
 1805 generated from the fee to promote programs to maintain a local, state, or national ambient air
 1806 quality standard.

1807 (14) A county legislative body described in Subsection (1) may require an emissions
 1808 inspection of a vintage vehicle, as defined in Section [41-21-1](#), if the county exempts from an
 1809 emissions inspection a motor vehicle that is:

1810 (a) 20 years old or older; and

1811 (b) driven less than 1,500 miles during the prior calendar year.

1812 Section 35. Section **53-1-118** is amended to read:

1813 **53-1-118. Public Safety Honoring Heroes Restricted Account -- Creation --**
 1814 **Funding -- Distribution of funds by the commissioner.**

1815 (1) There is created in the General Fund a restricted account known as the Public
 1816 Safety Honoring Heroes Restricted Account.

1817 (2) The account shall be funded by:

1818 (a) contributions deposited into the Public Safety Honoring Heroes Restricted Account
 1819 in accordance with Section [~~41-1a-422~~] [41-1a-1603](#);

1820 (b) private contributions; and

1821 (c) donations or grants from public or private entities.

1822 (3) The Legislature shall appropriate money in the account to the commissioner.

1823 (4) The commissioner shall distribute the funds to one or more charitable organizations
 1824 that:

1825 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1826 and

1827 (b) have as a primary part of their mission to support the families of fallen Utah
1828 Highway Patrol troopers and other Department of Public Safety employees.

1829 (5) The commissioner may only consider proposals that are:

1830 (a) proposed by a charitable organization under Subsection (4); and

1831 (b) designed to support families of fallen Utah Highway Patrol troopers and other
1832 Department of Public Safety employees.

1833 (6) (a) An organization described in Subsection (4) may apply to the commissioner to
1834 receive a distribution in accordance with Subsection (4).

1835 (b) An organization that receives a distribution from the commissioner in accordance
1836 with Subsection (4) shall expend the distribution only to support the families of fallen Utah
1837 Highway Patrol troopers and other Department of Public Safety employees.

1838 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1839 commissioner shall make rules providing procedures for an organization to apply to receive
1840 funds under this section.

1841 Section 36. Section **53-1-120** is amended to read:

1842 **53-1-120. Utah Law Enforcement Memorial Support Restricted Account --**
1843 **Creation -- Funding -- Distribution of funds by the commissioner.**

1844 (1) There is created in the General Fund a restricted account known as the Utah Law
1845 Enforcement Memorial Support Restricted Account.

1846 (2) The account shall be funded by:

1847 (a) contributions deposited into the Utah Law Enforcement Memorial Support
1848 Restricted Account in accordance with Section [~~41-1a-422~~] [41-1a-1603](#);

1849 (b) private contributions; and

1850 (c) donations or grants from public or private entities.

1851 (3) Subject to appropriations by the Legislature, money in the account may only be
1852 used by the commissioner for purposes described in this section.

1853 (4) Upon appropriation, the commissioner shall distribute the funds to one or more
1854 charitable organizations that:

1855 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1856 and

1857 (b) have as a primary part of their mission to support the operation and maintenance of
1858 the Utah Law Enforcement Memorial.

1859 (5) The commissioner may only consider proposals that are:

1860 (a) proposed by a charitable organization described in Subsection (4); and

1861 (b) designed to support the operation and maintenance of the Utah Law Enforcement
1862 Memorial.

1863 (6) (a) An organization described in Subsection (4) may apply to the commissioner to
1864 receive a distribution in accordance with Subsection (4).

1865 (b) An organization that receives a distribution from the commissioner in accordance
1866 with Subsection (4) shall expend the distribution only to support the operation and maintenance
1867 of the Utah Law Enforcement Memorial.

1868 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1869 commissioner shall make rules providing procedures for an organization to apply to receive
1870 funds under this section.

1871 Section 37. Section **53-7-109** is amended to read:

1872 **53-7-109. Firefighter Support Restricted Account.**

1873 (1) There is created in the General Fund the Firefighter Support Restricted Account.

1874 (2) The account shall be funded by:

1875 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
1876 [41-1a-1603](#); and

1877 (b) donations or grants from public or private entities.

1878 (3) The Legislature shall appropriate funds in the account to the division.

1879 (4) The division shall distribute funds in the account to one or more charitable
1880 organizations that:

1881 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1882 (b) provide firefighter education and training programs;

1883 (c) initiate and maintain active participation in all aspects of fire service;

1884 (d) maintain a fire history museum; and

1885 (e) represent over 2,000 active, inactive, retired, volunteer, or career firefighters
1886 throughout the state.

1887 (5) (a) An organization described in Subsection (4) may apply to the division to receive

1888 a distribution in accordance with Subsection (4).

1889 (b) An organization that receives a distribution from the division in accordance with
1890 Subsection (4) shall expend the distribution only to:

1891 (i) pay for firefighter education or training programs;

1892 (ii) pay for firefighter scholarship programs;

1893 (iii) pay the costs of maintaining a fire history museum;

1894 (iv) pay the costs of representing firefighter interests on a national and local level; and

1895 (v) pay for assistance with purchasing equipment or apparatuses used in firefighting.

1896 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1897 division may make rules providing procedures for an organization to apply to the division to
1898 receive a distribution under Subsection (4).

1899 Section 38. Section **53F-9-401** is amended to read:

1900 **53F-9-401. Autism Awareness Restricted Account.**

1901 (1) There is created in the General Fund a restricted account known as the "Autism
1902 Awareness Restricted Account."

1903 (2) The account shall be funded by:

1904 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
1905 [41-1a-1603](#);

1906 (b) private contributions; and

1907 (c) donations or grants from public or private entities.

1908 (3) Upon appropriation by the Legislature, the state superintendent shall:

1909 (a) (i) ensure the inventory of Autism Awareness Support special group license plate
1910 decals are in stock; and

1911 (ii) transfer money to the State Tax Commission to pay for the group license plate as
1912 needed;

1913 (b) distribute funds in the account to one or more charitable organizations that:

1914 (i) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1915 (ii) has as the organization's sole mission to promote access to resources and

1916 responsible information for individuals of all ages who have, or are affected by, autism or
1917 autism spectrum related conditions;

1918 (iii) is an independent organization that has representation from state agencies and

1919 private providers serving individuals with autism spectrum disorder and their families in the
1920 state;

1921 (iv) includes representation of:

1922 (A) national and local autism advocacy groups, as available; and

1923 (B) interested parents and professionals; and

1924 (v) does not endorse any specific treatment, therapy, or intervention used for autism.

1925 (4) (a) An organization described in Subsection (3) may apply to the state
1926 superintendent to receive a distribution in accordance with Subsection (3).

1927 (b) An organization that receives a distribution from the state superintendent in
1928 accordance with Subsection (3) shall expend the distribution only to:

1929 (i) pay for autism education and public awareness of programs and related services in
1930 the state;

1931 (ii) enhance programs designed to serve individuals with autism;

1932 (iii) provide support to caregivers providing services for individuals with autism;

1933 (iv) pay administrative costs of the organization; and

1934 (v) pay for academic scholarships and research efforts in the area of autism spectrum
1935 disorder.

1936 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1937 state board may make rules providing procedures for an organization to apply to the state
1938 superintendent to receive a distribution under Subsection (3).

1939 Section 39. Section **53F-9-403** is amended to read:

1940 **53F-9-403. Kiwanis Education Support Fund.**

1941 (1) There is created an expendable special revenue fund known as the "Kiwanis
1942 Education Support Fund."

1943 (2) The fund consists of:

1944 (a) contributions deposited into the fund in accordance with Section [~~41-1a-422~~]

1945 [41-1a-1603](#);

1946 (b) private contributions;

1947 (c) donations or grants from public or private entities; and

1948 (d) money appropriated to the fund by the Legislature.

1949 (3) Subject to Subsection [41-1a-418](#)(2), the State Tax Commission:

1950 (a) shall expend money in the fund to pay the initial costs of ordering and issuing
1951 Kiwanis special group license plates; and

1952 (b) as needed, may expend money in the fund to pay the costs of reordering Kiwanis
1953 special group license plates and decals.

1954 (4) On an annual basis, the State Tax Commission shall:

1955 (a) evaluate the fund's ability to cover the costs described in Subsection (3); and

1956 (b) based on the evaluation described in Subsection (4)(a), adjust the allocation of
1957 contributions described in Subsection (2)(a) deposited into the fund.

1958 Section 40. Section **59-10-1319** is amended to read:

1959 **59-10-1319. Contribution to Clean Air Fund.**

1960 (1) (a) There is created an expendable special revenue fund known as the "Clean Air
1961 Fund."

1962 (b) The fund shall consist of all amounts deposited into the fund in accordance with
1963 Subsection (2).

1964 (2) (a) Except as provided in Section [59-10-1304](#), for a taxable year beginning on or
1965 after January 1, 2017, a resident or nonresident individual who files an individual income tax
1966 return under this chapter may designate on the resident or nonresident individual's individual
1967 income tax return a contribution as provided in this section to be:

1968 (i) deposited into the Clean Air Fund; and

1969 (ii) expended as provided in Subsection (3).

1970 (b) The fund shall also consist of amounts deposited into the fund through:

1971 (i) contributions deposited into the account in accordance with Section [~~41-1a-422~~
1972 [41-1a-1603](#)];

1973 (ii) private contributions; and

1974 (iii) donations or grants from public or private entities.

1975 (3) (a) At least once each year, the commission shall disburse from the Clean Air Fund
1976 all money deposited into the fund since the last disbursement.

1977 (b) The commission shall disburse money under Subsection (3)(a) to the Division of
1978 Air Quality for the purpose of:

1979 (i) providing money for grants to individuals or organizations in the state to fund
1980 activities intended to improve air quality in the state;

1981 (ii) enhancing programs designed to educate the public about the importance of air
1982 quality to the health, well-being, and livelihood of individuals in the state; and
1983 (iii) pay the costs of issuing or reordering Clean Air Support special group license plate
1984 decals.

1985 Section 41. Section **61-2-204** is amended to read:

1986 **61-2-204. Utah Housing Opportunity Restricted Account.**

1987 (1) For purposes of this section, "account" means the Utah Housing Opportunity
1988 Restricted Account created by this section.

1989 (2) There is created in the General Fund a restricted account known as the "Utah
1990 Housing Opportunity Restricted Account."

1991 (3) The account shall be funded by:

1992 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]

1993 [41-1a-1603](#);

1994 (b) private contributions; and

1995 (c) donations or grants from public or private entities.

1996 (4) (a) The state treasurer shall invest money in the account according to Title 51,
1997 Chapter 7, State Money Management Act.

1998 (b) The Division of Finance shall deposit interest or other earnings derived from
1999 investment of account money into the General Fund.

2000 (5) The Legislature shall appropriate money in the account to the division.

2001 (6) The division shall distribute the money in the account to one or more charitable
2002 organizations that:

2003 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and

2004 (b) have as a primary part of their mission to provide support to organizations that
2005 create affordable housing for those in severe need.

2006 (7) The division may consider a proposal only if it is:

2007 (a) proposed by an organization described in Subsection (6); and

2008 (b) designed to provide support to organizations that create affordable housing for
2009 those in severe need.

2010 (8) (a) An organization described in Subsection (6) may apply to the division to receive
2011 a distribution in accordance with Subsection (6).

2012 (b) An organization that receives a distribution from the division in accordance with
2013 Subsection (6) shall expend the distribution only to provide support to organizations that create
2014 affordable housing for those in severe need.

2015 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2016 division shall make rules providing procedures for an organization to apply to receive money
2017 under this section.

2018 Section 42. Section **62A-1-202** is amended to read:

2019 **62A-1-202. National Professional Men's Basketball Team Support of Women and**
2020 **Children Issues Restricted Account.**

2021 (1) There is created in the General Fund a restricted account known as the "National
2022 Professional Men's Basketball Team Support of Women and Children Issues Restricted
2023 Account."

2024 (2) The account shall be funded by:

2025 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
2026 [41-1a-1603](#);

2027 (b) private contributions; and

2028 (c) donations or grants from public or private entities.

2029 (3) Upon appropriation by the Legislature, the department shall distribute funds in the
2030 account to one or more charitable organizations that:

2031 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

2032 (b) are selected by the owners that, either on an individual or joint basis, own a
2033 controlling interest in a legal entity that is a franchised member of the internationally
2034 recognized national governing body for professional men's basketball in the United States;

2035 (c) are headquartered within the state;

2036 (d) create or support programs that focus on issues affecting women and children
2037 within the state, with an emphasis on health and education; and

2038 (e) have a board of directors that disperses all funds of the organization.

2039 (4) (a) An organization described in Subsection (3) may apply to the department to
2040 receive a distribution in accordance with Subsection (3).

2041 (b) An organization that receives a distribution from the department in accordance with
2042 Subsection (3) shall expend the distribution only to:

2043 (i) create or support programs that focus on issues affecting women and children, with
2044 an emphasis on health and education;

2045 (ii) create or sponsor programs that will benefit residents within the state; and

2046 (iii) pay the costs of issuing or reordering National Professional Men's Basketball
2047 Team Support of Women and Children Issues support special group license plate decals.

2048 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2049 department may make rules providing procedures for an organization to apply to the
2050 department to receive a distribution under this Subsection (4).

2051 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are
2052 nonlapsing.

2053 Section 43. Section **62A-4a-608** is amended to read:

2054 **62A-4a-608. Choose Life Adoption Support Restricted Account.**

2055 (1) There is created in the General Fund the "Choose Life Adoption Support Restricted
2056 Account."

2057 (2) The account shall be funded by:

2058 (a) contributions deposited into the Choose Life Adoption Support Restricted Account
2059 in accordance with Section [~~41-1a-422~~] [41-1a-1603](#);

2060 (b) appropriations to the account by the Legislature;

2061 (c) private contributions; and

2062 (d) donations or grants from public or private entities.

2063 (3) The Legislature shall appropriate money in the account to the division.

2064 (4) The division shall distribute the funds in the account to one or more charitable
2065 organizations that:

2066 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

2067 (b) have as part of their primary mission the support, promotion, and education of
2068 adoption programs; and

2069 (c) are licensed or registered to do business within the state in accordance with state
2070 law.

2071 (5) (a) An organization described in Subsection (4) may apply to the division to receive
2072 a distribution in accordance with Subsection (4).

2073 (b) An organization that receives a distribution from the division in accordance with

2074 Subsection (4) shall expend the distribution only to:

2075 (i) produce and distribute educational and promotional materials on adoption;

2076 (ii) conduct educational courses on adoption; and

2077 (iii) provide other programs that support adoption.

2078 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2079 division may make rules providing procedures and requirements for an organization to apply to
2080 the division to receive a distribution under Subsection (4).

2081 Section 44. Section **63G-26-103** is amended to read:

2082 **63G-26-103. Protection of personal information.**

2083 (1) Except as provided in Subsections (2), (3), and (5), a public agency may not:

2084 (a) require an individual to provide the public agency with personal information or
2085 otherwise compel the release of personal information;

2086 (b) require an entity exempt from federal income tax under Section 501(c) of the
2087 Internal Revenue Code to provide the public agency with personal information or compel the
2088 entity to release personal information;

2089 (c) release, publicize, or otherwise publicly disclose personal information in possession
2090 of a public agency; or

2091 (d) request or require a current or prospective contractor or grantee of the public
2092 agency to provide the public agency with a list of entities exempt from federal income tax
2093 under Section 501(c) of the Internal Revenue Code to which the contractor or grantee has
2094 provided financial or nonfinancial support.

2095 (2) Subsection (1) does not apply to:

2096 (a) a disclosure of personal information required under Title 20A, Election Code, Title
2097 36, Chapter 11, Lobbyist Disclosure and Regulation Act, or any other legal requirement
2098 relating to reporting campaign contributions, campaign expenditures, lobbying disclosures, or
2099 lobbying expenditures;

2100 (b) a disclosure of personal information expressly required by law;

2101 (c) a disclosure of personal information voluntarily made:

2102 (i) as part of public comment or in a public meeting; or

2103 (ii) in another manner that is publicly accessible;

2104 (d) a disclosure of personal information pursuant to a warrant or court order issued by a

2105 court of competent jurisdiction;

2106 (e) a lawful request for discovery of personal information in litigation or a criminal
2107 proceeding;

2108 (f) the use of personal information in a legal proceeding;

2109 (g) a public agency sharing personal information with another public agency in
2110 accordance with the requirements of law; or

2111 (h) a nonprofit created under Title 11, Chapter 13a, Governmental Nonprofit
2112 Corporations Act.

2113 (3) Subsections (1)(a), (b), and (d) do not apply to:

2114 (a) administration or enforcement of Title 13, Chapter 11, Utah Consumer Sales
2115 Practices Act, or Title 13, Chapter 22, Charitable Solicitations Act;

2116 (b) the request or use of personal information necessary to the State Tax Commission's
2117 administration of tax or motor vehicle laws; or

2118 (c) access to personal information by the Office of the Legislative Auditor General or
2119 the state auditor's office to conduct an audit.

2120 (4) A court shall consider whether to:

2121 (a) limit a request for discovery of personal information; or

2122 (b) issue a protective order in relation to the disclosure of personal information
2123 obtained or used in relation to a legal proceeding.

2124 (5) Subsection (1) does not apply to disclosure of a contributor~~[, as defined in Section~~
2125 ~~41-1a-422,~~] to a sponsoring organization [~~described in Subsection 41-1a-422(3)~~], as those
2126 terms are defined in Section 41-1a-1601.

2127 Section 45. Section **63I-1-263** is amended to read:

2128 **63I-1-263. Repeal dates, Titles 63A to 63N.**

2129 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

2130 (a) Section 63A-16-102 is repealed;

2131 (b) Section 63A-16-201 is repealed; and

2132 (c) Section 63A-16-202 is repealed.

2133 (2) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
2134 improvement funding, is repealed July 1, 2024.

2135 (3) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,

- 2136 2023.
- 2137 (4) Sections [63A-9-301](#) and [63A-9-302](#), related to the Motor Vehicle Review
2138 Committee, are repealed July 1, 2023.
- 2139 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
2140 1, 2028.
- 2141 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
2142 2025.
- 2143 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
2144 2024.
- 2145 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
2146 repealed July 1, 2023.
- 2147 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
2148 July 1, 2023.
- 2149 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
2150 repealed July 1, 2026.
- 2151 (11) Title 63A, Chapter 16, Part 7, Data Security Management Council, is repealed
2152 July 1, 2025.
- 2153 (12) Section [63G-6a-805](#), which creates the Purchasing from Persons with Disabilities
2154 Advisory Board, is repealed July 1, 2026.
- 2155 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
2156 2025.
- 2157 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
2158 2024.
- 2159 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.
- 2160 (16) Subsection [63J-1-602.1](#)~~[(17)]~~(15), Nurse Home Visiting Restricted Account is
2161 repealed July 1, 2026.
- 2162 (17) (a) Subsection [63J-1-602.1](#)~~[(61)]~~(59), relating to the Utah Statewide Radio System
2163 Restricted Account, is repealed July 1, 2022.
- 2164 (b) When repealing Subsection [63J-1-602.1](#)~~[(61)]~~(59), the Office of Legislative
2165 Research and General Counsel shall, in addition to the office's authority under Subsection
2166 [36-12-12](#)(3), make necessary changes to subsection numbering and cross references.

- 2167 (18) Subsection 63J-1-602.2(5), referring to dedicated credits to the Utah Marriage
2168 Commission, is repealed July 1, 2023.
- 2169 (19) Subsection 63J-1-602.2(6), referring to the Trip Reduction Program, is repealed
2170 July 1, 2022.
- 2171 (20) Subsection 63J-1-602.2(24), related to the Utah Seismic Safety Commission, is
2172 repealed January 1, 2025.
- 2173 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
2174 repealed July 1, 2027.
- 2175 (22) In relation to the advisory committee created in Subsection 63L-11-305(3), on July
2176 1, 2022:
- 2177 (a) Subsection 63L-11-305(1)(a), which defines "advisory committee," is repealed; and
2178 (b) Subsection 63L-11-305(3), which creates the advisory committee, is repealed.
- 2179 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
2180 January 1, 2023:
- 2181 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
2182 repealed;
- 2183 (b) Section 63M-7-305, the language that states "council" is replaced with
2184 "commission";
- 2185 (c) Subsection 63M-7-305(1) is repealed and replaced with:
2186 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
2187 (d) Subsection 63M-7-305(2) is repealed and replaced with:
2188 "(2) The commission shall:
- 2189 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
2190 Drug-Related Offenses Reform Act; and
- 2191 (b) coordinate the implementation of Section 77-18-104 and related provisions in
2192 Subsections 77-18-103(2)(c) and (d)."
- 2193 (24) The Crime Victim Reparations and Assistance Board, created in Section
2194 63M-7-504, is repealed July 1, 2027.
- 2195 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
2196 1, 2022.
- 2197 (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.

- 2198 (27) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating
2199 Council, is repealed July 1, 2024.
- 2200 (28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 2201 (29) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July
2202 1, 2028.
- 2203 (30) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
2204 January 1, 2021.
- 2205 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
2206 calendar years beginning on or after January 1, 2021.
- 2207 (c) Notwithstanding Subsection(30)(b), an entity may carry forward a tax credit in
2208 accordance with Section 59-9-107 if:
- 2209 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
2210 31, 2020; and
- 2211 (ii) the qualified equity investment that is the basis of the tax credit is certified under
2212 Section 63N-2-603 on or before December 31, 2023.
- 2213 (31) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
2214 July 1, 2023.
- 2215 (32) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,
2216 2025.
- 2217 (33) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
2218 is repealed January 1, 2028.
- 2219 Section 46. Section 63J-1-602.1 is amended to read:
- 2220 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**
- 2221 Appropriations made from the following accounts or funds are nonlapsing:
- 2222 (1) The Utah Intracurricular Student Organization Support for Agricultural Education
2223 and Leadership Restricted Account created in Section 4-42-102.
- 2224 (2) The Native American Repatriation Restricted Account created in Section 9-9-407.
- 2225 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
2226 Section 9-18-102.
- 2227 (4) The National Professional Men's Soccer Team Support of Building Communities
2228 Restricted Account created in Section 9-19-102.

- 2229 (5) Funds collected for directing and administering the C-PACE district created in
 2230 Section [11-42a-106](#).
- 2231 (6) Money received by the Utah Inland Port Authority, as provided in Section
 2232 [11-58-105](#).
- 2233 (7) The "Latino Community Support Restricted Account" created in Section [13-1-16](#).
- 2234 (8) The Clean Air Support Restricted Account created in Section [19-1-109](#).
- 2235 (9) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in
 2236 Section [19-2a-106](#).
- 2237 (10) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in
 2238 Section [19-5-126](#).
- 2239 (11) The "Support for State-Owned Shooting Ranges Restricted Account" created in
 2240 Section [23-14-13.5](#).
- 2241 (12) Award money under the State Asset Forfeiture Grant Program, as provided under
 2242 Section [24-4-117](#).
- 2243 (13) Funds collected from the program fund for local health department expenses
 2244 incurred in responding to a local health emergency under Section [26-1-38](#).
- 2245 ~~[(14) The Children with Cancer Support Restricted Account created in Section~~
 2246 ~~[26-21a-304](#).]~~
- 2247 ~~[(15)]~~ (14) State funds for matching federal funds in the Children's Health Insurance
 2248 Program as provided in Section [26-40-108](#).
- 2249 ~~[(16) The Children with Heart Disease Support Restricted Account created in Section~~
 2250 ~~[26-58-102](#).]~~
- 2251 ~~[(17)]~~ (15) The Nurse Home Visiting Restricted Account created in Section [26-63-601](#).
- 2252 ~~[(18)]~~ (16) The Technology Development Restricted Account created in Section
 2253 [31A-3-104](#).
- 2254 ~~[(19)]~~ (17) The Criminal Background Check Restricted Account created in Section
 2255 [31A-3-105](#).
- 2256 ~~[(20)]~~ (18) The Captive Insurance Restricted Account created in Section [31A-3-304](#),
 2257 except to the extent that Section [31A-3-304](#) makes the money received under that section free
 2258 revenue.
- 2259 ~~[(21)]~~ (19) The Title Licensee Enforcement Restricted Account created in Section

2260 [31A-23a-415](#).

2261 [~~(22)~~] (20) The Health Insurance Actuarial Review Restricted Account created in
2262 Section [31A-30-115](#).

2263 [~~(23)~~] (21) The Insurance Fraud Investigation Restricted Account created in Section
2264 [31A-31-108](#).

2265 [~~(24)~~] (22) The Underage Drinking Prevention Media and Education Campaign
2266 Restricted Account created in Section [32B-2-306](#).

2267 [~~(25)~~] (23) The School Readiness Restricted Account created in Section [35A-15-203](#).

2268 [~~(26)~~] (24) Money received by the Utah State Office of Rehabilitation for the sale of
2269 certain products or services, as provided in Section [35A-13-202](#).

2270 [~~(27)~~] (25) The Oil and Gas Administrative Penalties Account created in Section
2271 [40-6-11](#).

2272 [~~(28)~~] (26) The Oil and Gas Conservation Account created in Section [40-6-14.5](#).

2273 [~~(29)~~] (27) The Division of Oil, Gas, and Mining Restricted account created in Section
2274 [40-6-23](#).

2275 [~~(30)~~] (28) The Electronic Payment Fee Restricted Account created by Section
2276 [41-1a-121](#) to the Motor Vehicle Division.

2277 [~~(31)~~] (29) The Motor Vehicle Enforcement Division Temporary Permit Restricted
2278 Account created by Section [41-3-110](#) to the State Tax Commission.

2279 [~~(32)~~] (30) The Utah Law Enforcement Memorial Support Restricted Account created
2280 in Section [53-1-120](#).

2281 [~~(33)~~] (31) The State Disaster Recovery Restricted Account to the Division of
2282 Emergency Management, as provided in Section [53-2a-603](#).

2283 [~~(34)~~] (32) The Department of Public Safety Restricted Account to the Department of
2284 Public Safety, as provided in Section [53-3-106](#).

2285 [~~(35)~~] (33) The Utah Highway Patrol Aero Bureau Restricted Account created in
2286 Section [53-8-303](#).

2287 [~~(36)~~] (34) The DNA Specimen Restricted Account created in Section [53-10-407](#).

2288 [~~(37)~~] (35) The Canine Body Armor Restricted Account created in Section [53-16-201](#).

2289 [~~(38)~~] (36) The Technical Colleges Capital Projects Fund created in Section
2290 [53B-2a-118](#).

2291 [~~(39)~~] (37) The Higher Education Capital Projects Fund created in Section
2292 [53B-22-202](#).

2293 [~~(40)~~] (38) A certain portion of money collected for administrative costs under the
2294 School Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).

2295 [~~(41)~~] (39) The Public Utility Regulatory Restricted Account created in Section
2296 [54-5-1.5](#), subject to Subsection [54-5-1.5\(4\)\(d\)](#).

2297 [~~(42)~~] (40) Funds collected from a surcharge fee to provide certain licensees with
2298 access to an electronic reference library, as provided in Section [58-3a-105](#).

2299 [~~(43)~~] (41) Certain fines collected by the Division of Occupational and Professional
2300 Licensing for violation of unlawful or unprofessional conduct that are used for education and
2301 enforcement purposes, as provided in Section [58-17b-505](#).

2302 [~~(44)~~] (42) Funds collected from a surcharge fee to provide certain licensees with
2303 access to an electronic reference library, as provided in Section [58-22-104](#).

2304 [~~(45)~~] (43) Funds collected from a surcharge fee to provide certain licensees with
2305 access to an electronic reference library, as provided in Section [58-55-106](#).

2306 [~~(46)~~] (44) Funds collected from a surcharge fee to provide certain licensees with
2307 access to an electronic reference library, as provided in Section [58-56-3.5](#).

2308 [~~(47)~~] (45) Certain fines collected by the Division of Occupational and Professional
2309 Licensing for use in education and enforcement of the Security Personnel Licensing Act, as
2310 provided in Section [58-63-103](#).

2311 [~~(48)~~] (46) The Relative Value Study Restricted Account created in Section [59-9-105](#).

2312 [~~(49)~~] (47) The Cigarette Tax Restricted Account created in Section [59-14-204](#).

2313 [~~(50)~~] (48) Funds paid to the Division of Real Estate for the cost of a criminal
2314 background check for a mortgage loan license, as provided in Section [61-2c-202](#).

2315 [~~(51)~~] (49) Funds paid to the Division of Real Estate for the cost of a criminal
2316 background check for principal broker, associate broker, and sales agent licenses, as provided
2317 in Section [61-2f-204](#).

2318 [~~(52)~~] (50) Certain funds donated to the Department of Human Services, as provided in
2319 Section [62A-1-111](#).

2320 [~~(53)~~] (51) The National Professional Men's Basketball Team Support of Women and
2321 Children Issues Restricted Account created in Section [62A-1-202](#).

2322 [~~(54)~~] (52) Certain funds donated to the Division of Child and Family Services, as
2323 provided in Section [62A-4a-110](#).

2324 [~~(55)~~] (53) The Choose Life Adoption Support Restricted Account created in Section
2325 [62A-4a-608](#).

2326 [~~(56)~~] (54) Funds collected by the Office of Administrative Rules for publishing, as
2327 provided in Section [63G-3-402](#).

2328 [~~(57)~~] (55) The Immigration Act Restricted Account created in Section [63G-12-103](#).

2329 [~~(58)~~] (56) Money received by the military installation development authority, as
2330 provided in Section [63H-1-504](#).

2331 [~~(59)~~] (57) The Computer Aided Dispatch Restricted Account created in Section
2332 [63H-7a-303](#).

2333 [~~(60)~~] (58) The Unified Statewide 911 Emergency Service Account created in Section
2334 [63H-7a-304](#).

2335 [~~(61)~~] (59) The Utah Statewide Radio System Restricted Account created in Section
2336 [63H-7a-403](#).

2337 [~~(62)~~] (60) The Utah Capital Investment Restricted Account created in Section
2338 [63N-6-204](#).

2339 [~~(63)~~] (61) The Motion Picture Incentive Account created in Section [63N-8-103](#).

2340 [~~(64)~~] (62) Certain money payable for expenses of the Pete Suazo Utah Athletic
2341 Commission, as provided under Section [63N-10-301](#).

2342 [~~(65)~~] (63) Funds collected by the housing of state probationary inmates or state parole
2343 inmates, as provided in Subsection [64-13e-104\(2\)](#).

2344 [~~(66)~~] (64) Certain forestry and fire control funds utilized by the Division of Forestry,
2345 Fire, and State Lands, as provided in Section [65A-8-103](#).

2346 [~~(67)~~] (65) The Transportation of Veterans to Memorials Support Restricted Account
2347 created in Section [71-14-102](#).

2348 [~~(68)~~] (66) The Amusement Ride Safety Restricted Account, as provided in Section
2349 [72-16-204](#).

2350 [~~(69)~~] (67) Certain funds received by the Office of the State Engineer for well drilling
2351 fines or bonds, as provided in Section [73-3-25](#).

2352 [~~(70)~~] (68) The Water Resources Conservation and Development Fund, as provided in

- 2353 Section [73-23-2](#).
- 2354 ~~[(71)]~~ [\(69\)](#) Funds donated or paid to a juvenile court by private sources, as provided in
- 2355 Subsection [78A-6-203\(1\)\(c\)](#).
- 2356 ~~[(72)]~~ [\(70\)](#) Fees for certificate of admission created under Section [78A-9-102](#).
- 2357 ~~[(73)]~~ [\(71\)](#) Funds collected for adoption document access as provided in Sections
- 2358 [78B-6-141](#), [78B-6-144](#), and [78B-6-144.5](#).
- 2359 ~~[(74)]~~ [\(72\)](#) Funds collected for indigent defense as provided in Title 78B, Chapter 22,
- 2360 Part 4, Utah Indigent Defense Commission.
- 2361 ~~[(75)]~~ [\(73\)](#) The Utah Geological Survey Oil, Gas, and Mining Restricted Account
- 2362 created in Section [79-3-403](#).
- 2363 ~~[(76)]~~ [\(74\)](#) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades
- 2364 State Park, and Green River State Park, as provided under Section [79-4-403](#).
- 2365 ~~[(77)]~~ [\(75\)](#) Certain funds received by the Division of State Parks from the sale or
- 2366 disposal of buffalo, as provided under Section [79-4-1001](#).
- 2367 ~~[(78)]~~ [\(76\)](#) The Drinking While Pregnant Prevention Media and Education Campaign
- 2368 Restricted Account created in Section [32B-2-308](#).
- 2369 Section 47. Section **71-8-2** is amended to read:
- 2370 **71-8-2. Department of Veterans and Military Affairs created -- Appointment of**
- 2371 **executive director -- Department responsibilities.**
- 2372 (1) There is created the Department of Veterans and Military Affairs.
- 2373 (2) The governor shall appoint an executive director for the department, after
- 2374 consultation with the Veterans Advisory Council, who is subject to Senate confirmation.
- 2375 (a) The executive director shall be an individual who:
- 2376 (i) has served on active duty in the armed forces for more than 180 consecutive days;
- 2377 (ii) was a member of a reserve component who served in a campaign or expedition for
- 2378 which a campaign medal has been authorized; or
- 2379 (iii) incurred an actual service-related injury or disability in the line of duty, whether or
- 2380 not that person completed 180 consecutive days of active duty; and
- 2381 (iv) was separated or retired under honorable conditions.
- 2382 (b) Any veteran or veterans group may submit names to the council for consideration.
- 2383 (3) The department shall:

- 2384 (a) conduct and supervise all veteran activities as provided in this title;
- 2385 (b) determine which campaign or combat theater awards are eligible for a support
- 2386 special group license plate in accordance with [~~Section 41-1a-418~~] Title 41, Chapter 1a, Part
- 2387 16, Support Special Group License Plates;
- 2388 (c) verify that an applicant for a campaign or combat theater award support special
- 2389 group license plate is qualified to receive [it] the campaign or combat theater award support
- 2390 special group license plate;
- 2391 (d) provide an applicant that qualifies a form indicating the campaign or combat theater
- 2392 award support special group license plate for which the applicant qualifies;
- 2393 (e) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 2394 Rulemaking Act, to carry out the provisions of this title; and
- 2395 (f) ensure that any training or certification required of a public official or public
- 2396 employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter
- 2397 22, State Training and Certification Requirements, if the training or certification is required:
- 2398 (i) under this title;
- 2399 (ii) by the department; or
- 2400 (iii) by an agency or division within the department.
- 2401 (4) (a) The department may award grants for the purpose of supporting veteran and
- 2402 military outreach, employment, education, healthcare, homelessness prevention, and
- 2403 recognition events.
- 2404 (b) The department may award a grant described in Subsection (4)(a) to:
- 2405 (i) an institution of higher education listed in Section 53B-1-102;
- 2406 (ii) a nonprofit organization involved in veterans or military-related activities; or
- 2407 (iii) a political subdivision of the state.
- 2408 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 2409 department shall make rules for the administration of grants, including establishing:
- 2410 (i) the form and process for submitting an application to the department;
- 2411 (ii) the method and criteria for selecting a grant recipient;
- 2412 (iii) the method and formula for determining a grant amount; and
- 2413 (iv) the reporting requirements of a grant recipient.
- 2414 (d) A grant may be awarded by the department only after consultation with the

2415 Veterans Advisory Council.

2416 (5) Nothing in this chapter shall be construed as altering or preempting the provisions
2417 of Title 39, Militia and Armories, as specifically related to the Utah National Guard.

2418 Section 48. Section **71-8-4** is amended to read:

2419 **71-8-4. Veterans Advisory Council -- Membership -- Duties and responsibilities --**
2420 **Per diem and travel expenses.**

2421 (1) There is created a Veterans Advisory Council whose purpose is to advise the
2422 executive director of the Department of Veterans and Military Affairs on issues relating to
2423 veterans.

2424 (2) The council shall consist of the following 14 members:

2425 (a) 11 voting members to serve four-year terms:

2426 (i) seven veterans at large appointed by the governor;

2427 (ii) the commander or the commander's designee, whose terms shall last for as long as
2428 they hold that office, from each of the following organizations:

2429 (A) Veterans of Foreign Wars;

2430 (B) American Legion; and

2431 (C) Disabled American Veterans; and

2432 (iii) a representative from the Office of the Governor; and

2433 (b) three nonvoting members:

2434 (i) the executive director of the Department of Veterans and Military Affairs;

2435 (ii) the director of the VA Health Care System or his designee; and

2436 (iii) the director of the VA Benefits Administration Regional Office in Salt Lake City,
2437 or his designee.

2438 (3) (a) Except as required by Subsection (3)(b), as terms of current council members
2439 expire, the governor shall appoint each new or reappointed member to a four-year term
2440 commencing on July 1.

2441 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the
2442 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
2443 council members are staggered so that approximately half of the members appointed by the
2444 governor are appointed every two years.

2445 (4) When a vacancy occurs in the membership for any reason, the governor shall

2446 appoint a replacement for the unexpired term within 60 days of receiving notice.

2447 (5) Members appointed by the governor may not serve more than three consecutive
2448 terms.

2449 (6) (a) Any veterans group or veteran may provide the executive director with a list of
2450 recommendations for members on the council.

2451 (b) The executive director shall provide the governor with the list of recommendations
2452 for members to be appointed to the council.

2453 (c) The governor shall make final appointments to the council by June 30 of any year in
2454 which appointments are to be made under this chapter.

2455 (7) The council shall elect a chair and vice chair from among the council members
2456 every two years. The chair and vice chair shall each be an individual who:

2457 (a) has served on active duty in the armed forces for more than 180 consecutive days;

2458 (b) was a member of a reserve component who served in a campaign or expedition for
2459 which a campaign medal has been authorized; or

2460 (c) incurred an actual service-related injury or disability in the line of duty, whether or
2461 not that person completed 180 consecutive days of active duty; and

2462 (d) was separated or retired under honorable conditions.

2463 (8) (a) The council shall meet at least once every quarter.

2464 (b) The executive director of the Department of Veterans and Military Affairs may
2465 convene additional meetings, as necessary.

2466 (9) The department shall provide staff to the council.

2467 (10) Six voting members are a quorum for the transaction of business.

2468 (11) The council shall:

2469 (a) solicit input concerning veterans issues from veterans' groups throughout the state;

2470 (b) report issues received to the executive director of the Department of Veterans and
2471 Military Affairs and make recommendations concerning them;

2472 (c) keep abreast of federal developments that affect veterans locally and advise the
2473 executive director of them;

2474 (d) approve, by a majority vote, the use of money generated from veterans license
2475 plates under Section [~~41-1a-422~~] [41-1a-1603](#) for veterans programs; and

2476 (e) assist the director in developing guidelines and qualifications for:

2477 (i) participation by donors and recipients in the Veterans Assistance Registry created in
2478 Section [71-12-101](#); and

2479 (ii) developing a process for providing contact information between qualified donors
2480 and recipients.

2481 (12) A member may not receive compensation or benefits for the member's service, but
2482 may receive per diem and travel expenses in accordance with:

2483 (a) Section [63A-3-106](#);

2484 (b) Section [63A-3-107](#); and

2485 (c) rules made by the Division of Finance pursuant to Sections [63A-3-106](#) and
2486 [63A-3-107](#).

2487 Section 49. Section [71-14-102](#) is amended to read:

2488 **[71-14-102. Transportation of Veterans to Memorials Support Restricted](#)**

2489 **Account.**

2490 (1) As used in this section, "department" means the Department of Veterans and
2491 Military Affairs created in Section [71-8-2](#).

2492 (2) There is created in the General Fund a restricted account known as the
2493 "Transportation of Veterans to Memorials Support Restricted Account."

2494 (3) The account shall be funded by contributions deposited into the account in
2495 accordance with Section [~~41-1a-422~~] [41-1a-1603](#).

2496 (4) Upon appropriation by the Legislature, the department shall distribute funds in the
2497 account to one or more charitable organizations that:

2498 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;
2499 and

2500 (b) have as a primary mission the transportation of veterans to Washington D.C. to
2501 visit memorials dedicated to honor the service and sacrifice of veterans.

2502 (5) (a) An organization described in Subsection (4) may apply to the department to
2503 receive a distribution in accordance with Subsection (4).

2504 (b) An organization that receives a distribution from the department in accordance with
2505 Subsection (4) shall expend the distribution only:

2506 (i) to facilitate, coordinate, and cover costs of travel to visit veterans memorials in
2507 Washington D.C.; and

2508 (ii) pay the costs of issuing or reordering Transportation of Veterans to Memorials
2509 Support special group license plate decals.

2510 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2511 department may make rules providing procedures for an organization to apply to the
2512 department to receive a distribution as provided in this section.

2513 (6) In accordance with Section [63J-1-602.1](#), appropriations from the account are
2514 nonlapsing.

2515 Section 50. Section **72-2-127** is amended to read:

2516 **72-2-127. Share the Road Bicycle Support Restricted Account.**

2517 (1) There is created in the General Fund the Share the Road Bicycle Support Restricted
2518 Account.

2519 (2) The account shall be funded by:

2520 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
2521 [41-1a-1603](#);

2522 (b) appropriations to the account by the Legislature;

2523 (c) private contributions; and

2524 (d) donations or grants from public or private entities.

2525 (3) The Legislature shall appropriate funds in the account to the department.

2526 (4) The department may expend up to 5% of the money appropriated under Subsection
2527 (3) to administer account distributions in accordance with Subsections (5) and (6).

2528 (5) The department shall distribute contributions in the account to one or more
2529 charitable organizations that:

2530 (a) are exempt from federal income taxation under Section 501(c)(3) of the Internal
2531 Revenue Code;

2532 (b) have as part of their primary mission the promotion and education of:

2533 (i) safe bicycle operation;

2534 (ii) safe motor vehicle operation around bicycles; and

2535 (iii) healthy lifestyles; and

2536 (c) contribute to the start-up fee for the production and administrative costs for
2537 providing a Share the Road Bicycle Support special group license plate in accordance with
2538 Subsection [41-1a-418\(2\)](#)[~~(a)~~].

2539 (6) (a) An organization described in Subsection (5) may apply to the department to
2540 receive a distribution in accordance with Subsection (5).

2541 (b) An organization that receives a distribution from the department in accordance with
2542 Subsection (5) shall expend the distribution only to:

2543 (i) pay the costs of reordering Share the Road Bicycle Support special group license
2544 plate decals;

2545 (ii) produce and distribute materials to educate:

2546 (A) bicyclists and motorists about safe bicycling, sharing the road, and obeying the law
2547 in Utah; and

2548 (B) the public on healthy lifestyles;

2549 (iii) participate in transportation planning that provides accommodations for safe
2550 bicycling;

2551 (iv) promote a network of safe bicycling routes throughout the state; and

2552 (v) provide other programs that promote bicycle safety.

2553 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2554 department may make rules providing procedures and requirements for an organization to
2555 apply to the department to receive a distribution under Subsection (5).

2556 Section 51. Section **72-2-130** is amended to read:

2557 **72-2-130. Motorcycle Safety Awareness Support Restricted Account.**

2558 (1) There is created in the General Fund the Motorcycle Safety Awareness Support
2559 Restricted Account.

2560 (2) The account shall be funded by:

2561 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
2562 [41-1a-1603](#);

2563 (b) appropriations to the account by the Legislature;

2564 (c) private contributions; and

2565 (d) donations or grants from public or private entities.

2566 (3) The Legislature shall appropriate funds in the account to the department.

2567 (4) The department may expend up to 5% of the money appropriated under Subsection
2568 (3) to administer account distributions in accordance with Subsections (5) and (6).

2569 (5) The department shall distribute contributions in the account to one or more

2570 charitable organizations that:

2571 (a) are exempt from federal income taxation under Section 501(c)(3) of the Internal
2572 Revenue Code;

2573 (b) have as part of their primary mission:

2574 (i) the promotion of motorcycle safety and awareness;

2575 (ii) safe motor vehicle operation around motorcycles; and

2576 (iii) assistance to motorcycle riders who have been involved in an accident that resulted
2577 in hospitalization; and

2578 (c) contribute to the start-up fee for the production and administrative costs for
2579 providing a Motorcycle Safety Awareness Support special group license plate in accordance
2580 with Subsection 41-1a-418(2)[(a)].

2581 (6) (a) An organization described in Subsection (5) may apply to the department to
2582 receive a distribution in accordance with Subsection (5).

2583 (b) An organization that receives a distribution from the department in accordance with
2584 Subsection (5) shall expend the distribution only to:

2585 (i) pay the costs of reordering Motorcycle Safety Awareness Support special group
2586 license plate decals;

2587 (ii) produce and distribute materials to educate motorcycle riders and motorists about
2588 motorcycle safety and awareness and obeying the law in Utah;

2589 (iii) promote education on motorcycle safety;

2590 (iv) assist motorcycle riders and families of motorcycle riders who have been involved
2591 in a motorcycle accident resulting in hospitalization; and

2592 (v) provide other programs that promote motorcycle and related traffic safety.

2593 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2594 department may make rules providing procedures and requirements for an organization to
2595 apply to the department to receive a distribution under Subsection (5).

2596 Section 52. Section 78A-2-804 is amended to read:

2597 **78A-2-804. Guardian Ad Litem Services Account established -- Funding.**

2598 (1) There is created a restricted account in the General Fund known as the Guardian Ad
2599 Litem Services Account, for the purpose of funding the office, in accordance with this part.

2600 (2) The [account] Guardian Ad Litem Services Account shall be funded by [the

2601 ~~donation described in Subsection 41-1a-422(1)(a)(i)(F)]~~ contributions deposited into the
2602 account in accordance with Section 41-1a-1603.

2603 Section 53. Section **79-4-203** is amended to read:

2604 **79-4-203. Powers and duties of division.**

2605 (1) As used in this section, "real property" includes land under water, upland, and all
2606 other property commonly or legally defined as real property.

2607 (2) The Division of Wildlife Resources shall retain the power and jurisdiction
2608 conferred upon the Division of Wildlife Resources by law within state parks and on property
2609 controlled by the Division of State Parks with reference to fish and game.

2610 (3) The division shall permit multiple use of state parks and property controlled by the
2611 division for purposes such as grazing, fishing, hunting, camping, mining, and the development
2612 and utilization of water and other natural resources.

2613 (4) (a) The division may acquire real and personal property in the name of the state by
2614 all legal and proper means, including purchase, gift, devise, eminent domain, lease, exchange,
2615 or otherwise, subject to the approval of the executive director and the governor.

2616 (b) In acquiring any real or personal property, the credit of the state may not be pledged
2617 without the consent of the Legislature.

2618 (5) (a) Before acquiring any real property, the division shall notify the county
2619 legislative body of the county where the property is situated of its intention to acquire the
2620 property.

2621 (b) If the county legislative body requests a hearing within 10 days of receipt of the
2622 notice, the division shall hold a public hearing in the county concerning the matter.

2623 (6) Acceptance of gifts or devises of land or other property is at the discretion of the
2624 division, subject to the approval of the executive director and the governor.

2625 (7) The division shall acquire property by eminent domain in the manner authorized by
2626 Title 78B, Chapter 6, Part 5, Eminent Domain.

2627 (8) (a) The division may make charges for special services and use of facilities, the
2628 income from which is available for park purposes.

2629 (b) The division may conduct and operate those services necessary for the comfort and
2630 convenience of the public.

2631 (9) (a) The division may lease or rent concessions of all lawful kinds and nature in state

2632 parks and property to persons, partnerships, and corporations for a valuable consideration upon
2633 the recommendation of the board.

2634 (b) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code, in
2635 selecting concessionaires.

2636 (10) The division shall proceed without delay to negotiate with the federal government
2637 concerning the Weber Basin and other recreation and reclamation projects.

2638 (11) The division shall receive and distribute voluntary contributions collected under
2639 Section [~~41-1a-422~~] [41-1a-1603](#) in accordance with Section [79-4-404](#).

2640 Section 54. Section ~~79-4-404~~ is amended to read:

2641 **79-4-404. Zion National Park Support Programs Restricted Account -- Creation**
2642 **-- Funding -- Distribution of funds.**

2643 (1) There is created within the General Fund the Zion National Park Support Programs
2644 Restricted Account.

2645 (2) The account shall be funded by:

2646 (a) contributions deposited into the account in accordance with Section [~~41-1a-422~~]
2647 [41-1a-1603](#);

2648 (b) private contributions; or

2649 (c) donations or grants from public or private entities.

2650 (3) The Legislature shall appropriate funds in the account to the division.

2651 (4) The board may expend up to 10% of the money appropriated under Subsection (3)
2652 to administer account distributions in accordance with Subsections (5) and (6).

2653 (5) The division shall distribute contributions to one or more organizations that:

2654 (a) are exempt from federal income taxation under Section 501(c)(3), Internal Revenue
2655 Code;

2656 (b) operate under a written agreement with the National Park Service to provide
2657 interpretive, educational, and research activities for the benefit of Zion National Park;

2658 (c) produce and distribute educational and promotional materials on Zion National
2659 Park;

2660 (d) conduct educational courses on the history and ecosystem of the greater Zion
2661 Canyon area; and

2662 (e) provide other programs that enhance visitor appreciation and enjoyment of Zion

2663 National Park.

2664 (6) (a) An organization described in Subsection (5) may apply to the division to receive
2665 a distribution in accordance with Subsection (5).

2666 (b) An organization that receives a distribution from the division in accordance with
2667 Subsection (5) shall expend the distribution only to:

2668 (i) produce and distribute educational and promotional materials on Zion National
2669 Park;

2670 (ii) conduct educational courses on the history and ecosystem of the greater Zion
2671 Canyon area; and

2672 (iii) provide other programs that enhance visitor appreciation and enjoyment of Zion
2673 National Park.

2674 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2675 division may make rules providing procedures and requirements for an organization to apply to
2676 the division to receive a distribution under Subsection (5).

2677 Section 55. **Repealer.**

2678 This bill repeals:

2679 Section **26-21a-304, Children with Cancer Support Restricted Account.**

2680 Section **26-58-102, Children with Heart Disease Support Restricted Account.**

2681 Section **41-1a-422, Support special group license plates -- Contributor -- Voluntary
2682 contribution collection procedures.**

2683 Section 56. **Effective date.**

2684 This bill takes effect on January 1, 2023.